



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

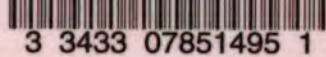
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

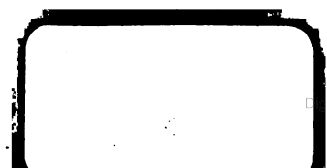
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



3 3433 07851495 1



THE
CALCUTTA REVIEW.

VOL XXVIII.

JANUARY—JUNE, 1857.

"No man, who hath tasted learning, but will confess the many ways of profiting by those, who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long, as in that notion, they may yet serve to polish and brighten the armoury of truth, even for that respect, they were not utterly to be cast away."—MILTON.

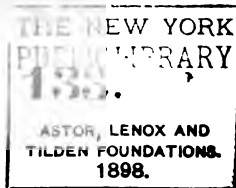
CALCUTTA:

THACKER, SPINK AND CO.,

AND SOLD BY

ALL THE BOOK-SELLERS.

1857.



CONTENTS OF No. LV.

MARCH, 1857.

ART. I.—LIFE IN THE NORTH WEST.

1. The Weatherbys : Father and Son. By John Lang . . . 1
2. Too Clever by Half. By John Lang *ib.*
3. Oakfield ; or Fellowship in the East. By W. D. Arnold . . *ib.*

ART. II.—THE ELECTRIC TELEGRAPH.

1. Selections from the Records of the Bengal Government.
No. VII. 24
2. Electric Telegraph Manual. By W. B. O'Shaughnessy,
M. D., F. R. S., &c. *ib.*
3. First Report on the Operations of the Electric Telegraph
Department in British India—From 1st February,
1855, to 31st January, 1856 *ib.*
4. Anglo Indian Telegraphs. By C. C. Adley, C. E., &c. . . *ib.*

ART. III.—THE PENAL CODE.

1. The Indian Penal Code 47
2. Speech of the Hon'ble Mr. Peacock in the Legislative
Council, 24th January, 1857, on introducing the Cri-
minal Procedure Bills *ib.*

ART. IV.—AUSTRALIA AND INDIA.

1. The Three Colonies of Australia. By S. Sidney, Esq.
London, 1852 81
2. Two Years in Australia. By William Howitt. London,
1856 *ib.*
3. Papers relative to the discovery of gold in Australia,
presented to both Houses of Parliament. By H. M.
Command, 1855-56 *ib.*
4. The Argus. Melbourne, 1851-56 *ib.*
5. The Empire. Sydney, 1851-56 *ib.*
6. The South Australian. Adelaide, 1851-56 *ib.*
7. Household Words. 1853-55 *ib.*

ART. V.—COFFEE IN THE EAST.

1. Commercial Products of the Vegetable Kingdom. By J. F. Simmonds. London, 1855 95
2. Coffee Planting in Ceylon ; Past and Present. Colombo, 1855 *ib.*
3. Cheap Coffee and Cheap Government. A Letter to Earl Grey, H. M. Principal Secretary of State for the Colonies. By Isaac Tomkins of Pasbage. Ceylon, 1848 *ib.*
4. The Journal of the Indian Archipelago. Culture of Coffee in Java *ib.*
5. State Papers. By various Governors of Netherlands India, 1750-80 *ib.*

ART. VI.—THE DISTRICT OFFICER, N. W. P.,
HIS MISCELLANEOUS DUTIES.

1. Modern India. By George Campbell 109
2. My Note Book. By H. C. Tucker *ib.*

ART. VII.—BRITISH BIRDS IN INDIA.

1. Yarrel's History of British Birds, 3rd edition, in three volumes. London, 1856. 129
2. The Birds of Europe. By John Gould, &c. &c. 5 Vols. Imp. folio. Concluded in 1837 *ib.*
3. Manuel d' Ornithologie, ou Tableau Systematique des Oiseaux qui se trouvent en Europe, &c. Par C. J. Temminck, Membre de plusieurs Académies et Sociétés savantes. Seconde édition, 4 tomes. Paris, 1840 *ib.*
4. Revue Critique des Oiseaux d'Europe. Par Mons. H. Schlegel, Docteur en Philosophie, Conservateur du Musée des Pays-bas, &c. &c. Leide, 1844. *ib.*
5. Ornithologie Européene, ou Catalogue Analytique des Oiseaux observés en Europe. Par C. D. Degland, Docteur en Médecine, &c. &c. ; 2 tomes. Lille, 1849 *ib.*
6. Faune Ornithologique de la Sicile, avec des Observations sur l' Habitat ou l'Apparition des Oiseaux de cette ile, soit dans le reste de l' Europe, soit dans le nord de l'Afrique. Par Alfred Malherbe (de l'île de France.) Metz, 1843 *ib.*
7. Catalogue Raisonné d'Oiseaux de l' Algérie comprenant la Description de plusieurs Espèces Nouvelles, &c. Par M. Alfred Malherbe (de l'île Maurice). Metz, 1846 *ib.*

8. Scandinavian Adventures, during a Residence of upwards of twenty years, representing Sporting Incidents, and Subjects of Natural History, and devices for entrapping Wild Animals, with some Account of the Northern Fauna. By L. Lloyd, Author of 'Field Sports of the North of Europe.' 2 Vols. London, 1854. . 129

ART. VIII.—DARJEELING.

- | | |
|--|------------|
| 1. The Darjeeling Guide | 196 |
| 2. Records of the Bengal Government. No. XVII. | <i>ib.</i> |
| 3. Indian Annals of Medical Science. No. VII. | <i>ib.</i> |
| 4. Agra Guide. Vol. II., 1841. | <i>ib.</i> |
| 5. Hooker's Himalaya Journals. | <i>ib.</i> |

MISCELLANEOUS NOTICES.

- | | |
|---|-----|
| 1. Sources of the Roman Civil Law, an introduction to the Institutes of Justinian, by William Grapel, Esq., M. A., of Lincoln's Inn, Barrister-at-law, Professor of Jurisprudence, and of English Literature in the Presidency College, Calcutta. Calcutta, R. C. Lepage and Co., 1857. | i |
| 2. The Annals of Indian Administration. Edited by Meredith Townsend, Part I. Serampore, 1856. | iii |
| 3. Selections from the Records of the Government of India (Public Works Department.) No. XIX., I. Lieut. W. R. Greathed's Report on the communication between Calcutta and Dacca. II. Lieut. G. Sim's Report of progress on the Dacca and Arracan road. III. Capt. W. Dicey's Report on the Creek Navigation from Akyab to Tounoup. IV. Lieut. F. G. R. Forlong's Report on the Tounoup Mountain Road, 1856. No. XXF: Revenue Reports of the Ganges Canal for the year 1855-56. By Lieut. Col. R. Baird Smith. Irrigation in Egypt. By Capt. G. Fife, Bombay Engineers, 1856. | x |
| 4. The Neilgherries; including an account of their Topography, Climate, Soil and Productions; and of the Effects of the Climate on the European Constitution. By R. Baikie, Esq., M. D., formerly Superintending Medical Officer on the Neilgherries. With Maps; a Panoramic view of Ootacamund; sketches of Koonoor, | |

Koteegherry and Jackatala; extracts from other writers incorporated; and statistics to the present time; collected by the Editor on a late visit. Edited by W. H. Smoult, Esq., and dedicated, by permission, to the Right Honorable George Francis Robert Lord Harris, Governor of Madras. Second Edition. Calcutta, 1857.	xiii
5. A Lecture on a visit to Madras. By the Rev. C. H. A. Dall, A. M. Before the Young Men's Literary Association of Bhowanipore. Given on the 25th December, 1856	xvii
.	
.	

CONTENTS OF No. LVI.

JUNE, 1857.

ART. I.—ROE AND CORYATE.

1. Purchas his Pilgrimes. London, Paul's Church Yard,
at the Sign of the Rose, 1625. 227
2. Churchill's Collection of Voyages and Travels. Lon-
don, at the Golden Ball, Paternoster Row, 1744. *ib.*
3. A Voyage to the East Indies. Observed by Edward
Terry, then Chaplain to the Right Hon. Sir Thomas
Roe, Knt., Lord Ambassador to the Great Mogul.
Reprinted from the edition of 1655. London, 1777. *ib.*
4. Coryate's Crudities. Reprinted from the edition of
1611. London, 1776. *ib.*
5. Bruce's Annals of the East India Company. London,
1810. *ib.*
6. Biographia Britannica. London, 1760. *ib.*

ART. II.—INDIA IN THE CLASSICS.

- Megasthenis Indica. Fragmenta collegit; commenta-
tionem et indices addidit E. A. Schwanbeck, Dr.
Phil. Bonnæ, MDCCCXLVI. 273

ART. III.—TRIBUNALS OF COMMERCE.

1. Notes on the Expediency of establishing a Tribunal of
Commerce in Calcutta. Calcutta, 1857. 315
2. Commercial Law, its Principle and Administration.
By Leone Levi. London, 1850. *ib.*

ART. IV.—INDIA IN ENGLAND.

1. The Times Newspaper. 335
2. The Overland Mail. *ib.*
3. Hansard's Parliamentary Debates. *ib.*
4. Thacker's Overland News. *ib.*

ART. V.—THE COMMERCE, RESOURCES, AND PROSPECTS OF INDIA.

- | | |
|---|------------|
| 1. Parliamentary Papers from 1776. | 364 |
| 2. Selections from the Records of the Government of India, and the Governments of Bengal, Madras, Bombay, the North West Provinces, and the Punjab. | <i>ib.</i> |
| 3. Reports of Administration of the Government of India, and the Subordinate Governments, (1857.) | <i>ib.</i> |
| 4. Reports of External Commerce; Bengal, Madras, Bombay and Straits' Settlements. | <i>ib.</i> |
| 5. Bell's Review of External Commerce of Bengal, 1830. | <i>ib.</i> |
| 6. Bell's, Wilkinson's, and Bonnaud's Annual Views (or Commercial Annals), 1833 to 1856. | <i>ib.</i> |
| 7. Mackay's Western India. | <i>ib.</i> |
| 8. Journal of the Agricultural Society of Bengal. | <i>ib.</i> |
| 9. Royle on the Cultivation of Cotton in India; and on the Fibrous Plants of India. | <i>ib.</i> |
| 10. Colonel Baird Smith's Reports on the Cauvery, Kistnah and Godavery. | <i>ib.</i> |
| 11. Colonel Cotton on Public Works in India. | <i>ib.</i> |

ART. VI.—CRIMINAL ADMINISTRATION IN BENGAL.

- | | |
|--|-----|
| Reports of Cases determined in the Court of Nizamut Adawlut at Calcutta for 1855. Calcutta. Thacker, Spink and Co. | 462 |
|--|-----|

THE CALCUTTA REVIEW.

MARCH, 1857.

- ART. I.—1. *The Weatherbys: Father and Son.* By JOHN LANG.
2. *Too Clever by Half.* By JOHN LANG.
3. *Oakfield; or Fellowship in the East.* By W. D. ARNOLD.

SINCE Mr. Macaulay set a notable example of *not* noticing the works which he cited as the subject of a Review Article, several writers, both in England and India, who, we are bound to say, have not reminded us in any other manner of Mr. Macaulay, have succeeded in imitating him in that particular. To follow even a good example is not always satisfactory: to follow a bad one is apt to be humiliating; and this is the penalty that we propose to provoke. By so doing, we do not mean to infer that the gentlemen whose books are named above are not worthy of the most careful critical consideration; we simply mean to infer that they have had it. It is too late to pronounce a verdict when the judgment has been delivered; and as both writers have already been condemned to that delightful species of literary transportation—being extensively read—we have no desire to enter an appeal against the sentence.

Among the things that we do *not* propose to discuss, we may also add one or two questions referred to in the above works, which have already caused an amount of cavilling equally unprofitable to all concerned. We prefer to deal with what is more pleasantly suggestive in these volumes, and to notice a few peculiarities of Indian life, which would present themselves most forcibly to one not too familiar with them.

There are many doubtless among our readers who are more at home in this foreign country than in their own land; who scarcely remember the sun but as a natural enemy; who accept the most *outré* modes of life as matters of routine, and the most obsolete phases of opinion as the spirit of the age. To these, how much that is moving around them must be lost to the sight:

MARCH, 1857.

how much of the moral to be drawn from it must be missed by the sensations ! And who, despite the experience which should always obtain respect, and the authority, it may be, which never fails to command it, would not place more reliance upon the observation of one who, without either experience or authority, should possess a vigorous insight not yet obscured by habit, and an acute comprehension not yet deadened by details ?

These remarks may be less new to a great many persons, than necessary to a great many others ; for there is something in the vitality of an error that exceeds the nine lives of a cat. It has only to become steady to be respected, and only respected to be revered ; while a fine dashing truth is apt to be classed as a dangerous companion, and to be stigmatized as an adventurer,—which it very often is, and a desperate one into the bargain.

It is mainly, then, from a home point of view, that life in India can be fairly estimated ; and to fairly estimate life in India, every body knows that we must go beyond Calcutta. The north-west may be taken as a fair specimen, and it is to the north-west that we address ourselves. The month or two passed in Calcutta scarcely prepares the new arrival—fresh from Europe—from England—from London—for the phenomena presented by an up-country station. In London he was of course lost—to an extent which makes a great many persons particularly desirous of never being found again. He had also imbibed Paris, and tasted possibly of Vienna and Rome. Paris, he already began to feel might have grown into a passion, from which nobody was ever yet known to recover ; and Vienna and Rome might have implanted themselves upon his nature, as habits at any rate, almost as bad as taking to a meerschaum—not very fascinating at first, but difficult to be dispensed with. From all these passing influences he is seasonably roused by the Overland journey. What new scenes and old associations—for one's early reading is all powerful—are conjured up by the mere idea ! But the Overland journey is soon found to be a rush and a scramble, during which there is too much to see to permit one to observe, and too much to say to enable one to reflect. Calcutta is a crash and a glare, from which the new comer seeks refuge in silence and shadow, and finds them occasionally when he does not want them—under a punkah. The North West follows, and then come the stern realities of Indian Life. We pass over the dāk—who would not pass over the dāk if he could ?—and find the new arrival at his station. He is probably in the hey-day of the cold weather ; but he has of course a foretaste of his troubles. How dismal, for one who has so recently parted from “his friends,”—to find himself transplanted to a place which, for Asiatic *ennui*, combined

with European observances, has no parallel in any other country. An up-country station in India is an exception to everything. It reminds one of the desert, but wants its freedom. It suggests a foreign country, but imposes on us the cares of home. It exacts something of the etiquette of May Fair, but affords nothing of its varied intercourse. It is not like a country town, for it presents no facilities greater than the dâk for running away from it. It is not like a crowded city, for it does not allow one to remain ignorant of one's next door neighbour. It is like nothing under the sun—an Indian sun of course excepted—but itself. It is a station—"only this and nothing more"—nor less.

The new comer of course feels and sees before he begins to experience and reflect. He feels that the weather is getting warmer every day, and he sees that he has now exhausted everything in the way of novelty which the place may contain. There is probably very little of natural beauty in the neighbourhood, and still less in the way of art which can be resorted to with pleasure. He may of course be cast in a station which is an exception in this latter respect, and if so he is a fortunate man. He leaves his cards of course upon the society. He exchanges a few words with the people whom he finds at home, when he most likely labours under a consciousness of having nothing to say; and he finds himself "cutting" these same people when he meets them out, and continues to do so until he gets their faces by heart. He is asked to dinner here and there; and through meeting the same faces so often at different houses, forgets occasionally, if he is at all absent, whose house he is in. The conversation for the most part is perfectly unintelligible to him. It abounds in terms and phrases with which he is unacquainted, and refers to persons whom he has never heard of, or not yet individualized in his mind. He sees two elderly gentlemen convulsed with laughter at some joke referring to a place called a "cutcherry," but what there is to laugh at he cannot make out. He puzzles himself in wondering what a cutcherry can possibly be. It is no doubt a slang term for something—he has read in Mrs. Mackenzie's book that people talk slang dreadfully in India. A cutcherry is probably some improper place—he has read in several books that the moral tone of society in India is very bad. Still, he wonders how two gentlemen can make such allusions in the presence of ladies, and is sorry to see that two or three of the latter are laughing as much as anybody. He will certainly write home and tell his friends about it: he feels himself already gaining an experience of the country. So he sits quietly, having transacted the necessary courtesy demanded of him by the young lady on his right, by making three observations—two sensible ones and a failure,—and receiving from her three observations in return—

two failures and a sensible one. Even this kind of conversation he has found it difficult to keep up. He cannot ask if she has been to the Opera lately ; nor is it of any use to say anything about the Chiswick Fête ; and he has not arrived at that degree of confidence—which requires middle age and immovable features—which would enable him to ask, “ which do you prefer, muffins or crumpets ? ”—a question which we remember being put by a “ bold bad man,” in London, to an astounded female stranger. He has a half belief that the orthodox enquiry may be, “ which do you prefer, the Regular or the Irregular Cavalry ? ” but not being quite sure, does not hazard it. It may be therefore inferred, that his three remarks are limited to the weather and the dāk ; and then perhaps the weather again. He does not apply himself particularly to the dinner, for he has not courage to ask in public for what he wants under their native names, and has been prematurely abashed by receiving a knife when he thought he had asked for a spoon—a kind of mistake which a great many persons in India think highly distinguished, and which indeed we have seen affected by persons, who, from certain indications of local coloring, we should say had known Europe only in the capacity of visitors. But of course our friend has not arrived at this triumphant point of experience. So he sits quietly ; looks up at the punkah ; mixes his wine rather injudiciously ; takes notice of the ladies’ dresses, if he is critical in such matters, and wonders what his sisters, whom he has seen six weeks before in the first blush of the last mode, would think of them. He looks too at the gentlemen’s dress, decides that there is not an orthodox collar at the table, and wonders where the civilians get those extraordinary coats. Then he looks up at the punkah again, and only half listens to the conversation. He starts fervently on somebody addressing him, and has a suspicion that he has been—only for an instant—asleep. Then there is a buzz, and the ladies leave. The principal difference made by this event is—that the ladies have left. There is very little accession to the conversation. It is just a little more free perhaps. A subaltern for instance informs his immediate neighbour that his commanding officer is an ass ; and our friend hears for the first time that a distinguished Colonel of Cavalry, with a name high in public estimation, cannot ride :—“ You should see how he grasped his holster pipes yesterday—it was a rich treat.” This is the extent perhaps of the license : very little more wine is taken, and there is not so much sitting over it as even in England in these decorous days. The remainder of the proceedings are soon over. Nobody is going anywhere else, except a bachelor or two to a mess perhaps ; and these light up furtive cheroots in the verandah, and mount, it may be, dog-carts of a flagrant character,

which they could not very well keep waiting for them in Mr. Thackeray's "dearly beloved Baker Street."

A few weeks pass over, and our young friend has become an old Indian. It is wonderful by the way what an old Indian one becomes in a few weeks, and what a young Indian one remains in a few years. But he is an old Indian in his own estimation, which is sufficient: if everybody only succeeded in satisfying himself, there would be no necessity to please others. He knows his own servants by sight, which is a great triumph, for at first all the natives resemble one another like a flock of sheep. He can also ask for what he wants with tolerable facility; has got a house all to himself; has tried a hookah, which he will abandon when the novelty has passed, as nearly every body does now, and begins precociously to abuse the country. Of course these symptoms are heightened or modified by circumstances—whether he is a military or a civil service "Griff," or neither,—and in either case he may fall into extremes, either of books or billiards, and be successful or unsuccessful in life, according to the chances common to all climates and conditions.

But our Griff is not beginning to moralize as yet. He is looking about him, and is prepared to make the best of everything he sees and hears. His first mania is most probably for amusement. He knows every body in a formal manner, and has made a few intimate acquaintances—these are manufactured in a few hours in India. He is determined to rush into the Vortex of Society—to give himself up to the giddy whirl for a time, before he takes seriously to study—which he has several times resolved to commence "the first thing on Monday morning," and has then postponed to the first of next month—by way of beginning in a regular manner. He is ready for the rush, but where is the Vortex? It is plain that he will not find it by staying at home, so he resolves to go and call upon some of the leaders of fashion, and hear what is going on. At the first house where he makes the enquiry, he receives the well known answer that there is nothing at all, and that everything is more dismal than ever. Are there no balls coming off? This question causes absolute laughter. Why, there has been no ball since the Queen's birthday, and there is no chance of another. The last was a failure, because the Brigadier insisted upon full dress, and the officers were too hot to dance; and because it had been "got up" by two or three of the wrong people; and because Mrs. A——'s box, which she had been expecting for seven months from England, had not "come up," and she had no ball dress, and therefore stayed at home; and because Mrs. B——, whose box *had* come up, and who had a beautiful ball dress, wasn't allowed by her husband to dance; and because Mrs. C——, who was the best dancer in the

station, took it into her head to sit still all the evening, after filling up her card about six times over; and because the D——s, who were always interfering with people's amusement (it's very fortunate they have left the station since), chose to give a dinner party on the same night, and detained their guests until they were thoroughly fatigued, with the exception of a desperate youth or two, who would go anywhere at any hour; and because several ladies stayed away for reasons of their own, and several other ladies stayed away for reasons of somebody else's; and because the refreshments were bad; and accordingly nobody enjoyed themselves except the gentlemen who stayed to the second supper, and they paid dearly enough for their amusement the next day.

This is not cheering. But our Griff, still bent upon rushing into the Vortex of Society, is not daunted. He speaks to two or three influential men upon the subject of a possible ball—there are always two or three men in a station who manage these matters. The first application is encouraging. Captain Warble thinks that things are not "ripe" for the purpose, and besides, is of opinion that the civilians ought to "do something" this time, and that "some of those fellows who are drawing four or five thousand a month" ought to *give* balls instead of making people subscribe for them. Our Griff next proceeds to Rapid, a subaltern, who is always ready for anything. He has always a good following in whatever he proposes, and is a general favorite. Rapid is evidently the right man, and Griff finds him in the right place—i. e., at home. Rapid is just taking his first cheroot of the day (and his last but two, for he is not one of your dissipated men) and thinking of Miss Myrtle, the Judge's daughter, whom he has met out the night before, and in whose favour he is understood to be a "gone coon"—in the objectionable phraseology of some of his friends. She has on that occasion expressed her wish that somebody would "get up a ball," and he is just meditating upon the subject. The suggestion of Griff is therefore singularly *à propos*. They agree to go and rout up old Warble, and make him join. The result is promising. Warble is open to conversion, and (after tiffin) is of opinion that the thing may be done if the Browns and Joneses can be induced to come, and the Robinsons can be guaranteed to stay away. Rapid is not a man to be daunted; so without more delay he gets a sheet of foolscap, and writes the proposition for a subscription ball neatly at the top, with a request that those disposed to join will put down their names, or at any rate not omit to write the word "seen." Then he puts the important document, big with the fate of so many Polkas and Deux Temps, into a long envelope, with the words "In circulation" written outside, and a long list of names, and hurries off with it in his buggy, to

get the signature of the Brigadier and some "big Civilian" to head the subscriptions—for though the virtual originators of the festivity, it would be death to the design were either of our three friends to assume the lead. These preliminaries are soon achieved—the "Brig." merely observing that he doesn't care much for these things, but will make a point of going, and the big Civilian putting his name down without dreaming of being present, but with a vague notion that he is doing something for "the masses," and that property has its duties as well as its rights. The severe test is to follow, and this, as fortune wills it, is successful. Some fifty or sixty persons put down their names, and of these about half may be expected to bring ladies. Of course these are all persons of recognized position in society, and who know more or less of one another. But it may be that some are invited over from out-stations, to swell the number, and to give that appearance of strangers among the old faces, which conveys one of the most refreshing sensations that the Mofussil can afford, and is comparable to nothing but the first sparkle of the desert spring, or the first experience of any of those pleasant things of which poets delight to sing.

For the next few days, all the station who have subscribed to the ball are on the *qui vive* about their toilettes—except indeed the absurdly opulent people who have everything in fabulous quantities from home; and even they have occasionally to endure the misfortunes to which all in this life are subject—especially if they rely upon the bullock train. All the available gloves in the station are bought up, as the first preliminary, and there is a rush made upon the wretched milliner, who has been neglected for the last three months. The gloves are of course all of the wrong sizes—the white ones are spotted with yellow, and the yellow ones are stained with white, owing to exposure to the air, and it may be a dash of sea water, and at least half of them break disastrously at the seams on first being put on, through the same causes, joined to the dry heat up the country, which has operated as a pleasing variety. Now it is that ladies who have hitherto been remarkable for a degree of amiability of which "dovelike" conveys but a faint idea, begin to tell their husbands respectively, that it was all nonsense putting down their names, for they have nothing to go in, and they (the husbands) know it. A mild man, perhaps, out of the number, suggests some existing dress which does not seem used up—and which he thinks "rather swell than otherwise" as eligible at the crisis; but we need scarcely say that he is promptly put down, as his ignorant conduct deserves. As if indeed *that* thing would do, which every body has seen, and when the so-and-so's will be there, who give themselves such airs because they are just out from England, and the somebody-elses,

who have just got their box out, which is the next best thing! Of course the monster subsides, as in duty bound, and retreats to his own room, which presently begins to give forth a slight odour of tobacco, and from which a pop, something like the opening of a soda water bottle, is probably heard, accompanied by a splutter, the result of a furtive effort to open it gently—blundered of course by that ass of a servant! This, it should be remembered, is an individual case—we should be very sorry to represent it as a specimen of Anglo-Indian manners generally.

The great night arrives. Soon after, our friend Griff arrives also—at the public rooms where the ball is held, and where he is one of the first. The scene is not one of enchantment, such as he had imagined a ball to be in the gorgeous East—the land of the sun, of Birds and Flowers, and Jewels and Odours, and Houris fairer than all of these. There is an uninhabited look about the place, which can be accounted for only by the appearance being founded upon fact. The walls look white-washed—for the reason that they are so, and there is an air of desolation, which the presence of seven persons does not altogether dissipate. There are plenty of lights, however, and the canvass is stretched with admirable tightness upon the floor—signs of the activity of the stewards, and delightful for dancing purposes. It is half past nine. The seven persons who make desolation the more apparent, are all men. They are already courting the refreshments, and Griff joins them for want of something better to do. Presently a new party arrives—two of them are ladies. Then another party—one is a lady. Three is usually considered a quorum in the Mofussil, and the band begins to play. Scarcely has the first dance begun when two more parties, mustering five ladies, drop in with desperate vigour—and the ball is in full swing. Our Griff is in the Vortex of Society, and yields himself to the gay abandonment of the scene. More people arrive, including more ladies, until the number of the latter actually rises to seventeen. The men by this time at least half fill the rooms, and the enchantment is at its height. Up to the period of half-past twelve Griff experiences an unsettled feeling, as if the ball had only just begun; but when once he is certain that no more guests—ladies especially—need be expected, and he is assured on the authority of several of the stewards that the occasion is *not* a failure, he surrenders himself to sensations of mad exhilaration, and is determined to “make it a personal matter” with any man who says he is not enjoying himself immensely. Whether he *does* enjoy himself or not of course depends upon circumstances apart from the mere appliances and means of enjoyment. The most magnificent balls are usually voted “slow” by some of the guests, and the most hopelessly wretched occasions are found delightful by

others. At the ordinary Mofussil ball it must be confessed that there are difficulties to surmount of which few men are master. It needs considerable animal spirits to compete for a partner with twenty different men, and requires something approaching philosophy to feel perfectly contented after *not* succeeding, which must be the fate of nineteen out of the number. The probabilities are that Griff has not been sufficiently *au fait* to make his engagements before hand—which the old hands always do—and so succeeds only in getting a stray partner here and there, who has been neglected, or forgotten ; but let us hope that he enjoys himself, and is thoroughly satisfied that he is being carried away in the Vortex of Society.

The supper is not likely to be a brilliant affair. It is more useful than ornamental, and unfortunately very few persons wish to make use of it. However, the ladies let off cracker bon-bons, and laugh over the mottoes in the approved style, and sip champagne, and flirt mildly, and seem to like the proceeding rather than otherwise. A candid young person fresh from home will occasionally give out, in more or less marked manner, that it is not the sort of thing that she has been accustomed to, but every body, fortunately, does not hear her, so that the heretical opinion does not interfere with the amusement of the rest. At half-past one, or two, the people disperse, all heartily tired, whether with exerting themselves too little or too much, and perhaps the former is the more fatiguing of the two. A few unprincipled persons usually remain behind, and indulge in that most reprehensible proceeding—a second supper—which some hardened wretches are actually heard to declare is the best part of the evening. At these horrible feasts, not only are all sorts of devilled and anchored arrangements freely indulged in, but beer is drunk, not wisely but too well,—in which respect it differs from the comic songs, which are sung neither wisely *nor* too well—an arrangement, however, which has its advantage, as it prevents the singer from being asked to sing them over again.

After his maiden attempt, our Griff is not likely to be in a great hurry to rush into the Vortex again, but is usually content with a whirl of mild amusements, which cheer but not inebriate. It is possible that a Dramatic fit comes over him, and that he yearns to fret his hour upon the stage. He has of course a notion that he can play Hamlet (we never knew an Amateur who didn't believe *that*,) and a latent conviction that he is born to be the best Richard upon the boards. He joins the Thespian Club of the station, on the strength of this understanding that he has arrived at—with himself. The delusion is very speedily dispersed, or at any rate he soon ceases to have any idea of acting upon it.

MARCH, 1857.

The fact is, that Shakespeare and the Legitimate Dramatists do not flourish in India. Nor is it surprising that they do not, when it is remembered that complete professional companies at home cannot make them popular with the public. Even in Calcutta, where an occasional professional or two come out upon speculation, for the apparent purpose of assuring themselves of the fact that it "doesn't answer," the strictly Illegitimate Drama alone affords them a chance. In the North West how is it possible that any serious or sustained performance can succeed, when the female parts are feminine only as far as the petticoats are concerned, and the softer sex is usually represented as rather the harder of the two? Even when a professional lady has "starred it" up the country, which has been very rarely, she has belonged as essentially to the "heavy walks" of the drama as the elephant at Astley's, and inclines to such parts as Mrs. Haller (our *bête noir* of the British stage) and can never be made to play in any piece in which she has not to be seduced herself, or do something desperate to somebody else. The consequence is, that these ladies have not been very successful, and few are found to follow in their footsteps. So the Amateur Companies get on by themselves as well as they can. Of these the greater numbers are composed of the soldiers of the European Regiments—of which nearly every one in India has its theatrical company. In some stations these coalesce with the officers and other gentlemen; in others, this latter class form a company by themselves. In the North West the buildings used for the theatres are sometimes built expressly for the purpose: in other cases they are old barracks, or any other convenient or inconvenient edifice, adapted to the purpose; and as may be supposed, they do not always remind one of Covent Garden and Drury Lane. The dramas represented—always strictly illegitimate, as we have said—vary according to taste. The soldiers invariably select a real Surrey melodrama, containing a profligate nobleman; a rapacious landlord, *i. e.* a landlord with a prejudice in favour of getting his rent; a faithful lover, in more or less humble life; a haughty lady of title who is found to have made a *faux pas* in her youth, and whose own son turns up eventually, minus his h's, but with most enlightened sentiments about the nobility of nature; a virtuous heroine who makes the profligate nobleman ashamed of himself; and a great deal of red fire, which eventually makes everything *colour de rose*, as is usual when virtue is triumphant in real life. In addition to this, there is probably a "screaming farce," and as many comic songs and sailor's horn-pipes as can be crammed into the evening's entertainment.

Among the "gentlemen Amateurs" the farce, screaming or otherwise, forms the staple of the *repertoire*, except when such

a piece as "Used Up" (which piece has perhaps been played more often than any other in India) can be found available. But this is of course not often, for "Used Up" is one of the best specimens of its class ever put upon the stage. A writer in a home periodical—whose article we have happened to meet with while writing these pages—remarks with a profundity of observation worthy of a better cause, that it is always the weakness of at least one gentleman Amateur in every company, to believe that he can play Sir Charles Coldstream rather better than Charles Matthews. We have known instances in which two or three gentlemen belonging to one company have each held the same opinion; which of course leads to exhibitions of a far more professional character than anything the Amateurs can do on the stage. These aspirants are usually rather fresh from England, and possessed of the most recent coats and waistcoats, without which, it must be confessed, the character is apt to lose a great deal of *vraisemblance*; for it is evident to the meanest capacity among the audience, that the traditionary swell of the British stage, with the military stripe to his trowsers, whom the waiting maid usually finds so irresistible, is not the Sir Charles that Matthews has immortalized. We are bound to say, however, that we have seen the character admirably performed by Amateurs in the North West, and that whatever faults there might have been in their performances, were on the right side, as far as good taste is concerned. They generally *under-played* the part, refined too much, both in dress and manner—forgetting that a little breadth and exaggeration are indispensable on the stage. In fact they were too much like the Sir Charles Coldstreams of real life to convey the requisite dramatic effect, and their performance seemed *pale* behind the lights, just as their cheeks would have seemed pale had they not been rouged.

But we are criticising rather prematurely, it being our intention to take the reader to the theatre (in the company of our Griff) and let him judge for himself. The theatre to which we will conduct him is not one of the best in the North West, as far as the building is concerned. It is a fair average specimen, and therefore better worthy his attention. It is a condemned barrack, this home of the Drama, but it is not depressed by its condemnation, for it never looked half so well in its original character. Our distinguished party arrives early, in order to form a fair estimate of the place before the performance commences. "Early" means about half-past eight, the performance commencing at nine. Being strangers, of course we have been losing our way, and have nearly driven our buggy into a ditch; but the sounds of the commencing overture, and the light which streams from the open doors, have guided us in safety to the

spot. Outside there is a great concourse of vehicles and horses, the latter taken out and made comfortable for the evening—crowds of soldiers and mysterious persons who are never seen but on these occasions, and stalls for the sale of ginger beer and other unintoxicating refreshments, chiefly for the benefit of the soldiers. A great many of the gentlemen who have come *en garçon* have the materials for “pegs” in their buggies, with perhaps a basket of ice sent beforehand; and these persons, we need not say, are highly popular with their friends. Indeed their practice may be commended upon the strictest grounds of prudence, for they do more than prepare for a rainy day, by providing for a “wet night.”

The interior of the theatre is, as may be supposed, of the Early Barrack Order of Architecture—that is to say, the room is long and straight—rather narrow for its length, but sufficiently lofty. The stage is at one end, and the seats are ranged across the room, divided by partitions into first boxes, second boxes, and gallery. The seats are all chairs, the private property of the individuals composing the audience, who have sent them from their houses during the day. They are carefully labelled with the names of their respective owners, and arranged according to their various degrees of dignity, unless in compliance with special arrangements. Of course the Brigadier and the Civilians of high degree get the best places, while the ordinary run of distinguished persons are planted promiscuously. This is as far as the first boxes are concerned. No class of persons are actually excluded from these places who choose to pay for them; but in India different classes are so separated generally by custom, that they separate themselves by instinct upon these occasions; and the distinction, not too strictly carried out, doubtless makes everybody more comfortable. So the second class of persons find themselves serenely content in the second boxes, where they can see just as well as in the first; and the soldiers and kindred subordinates make themselves uproariously at their ease in the gallery, where they can command the whole house. These various human elements being assembled, general attention is directed to the drop-scene, which, like the scenery generally, is rough and ready, and is probably the work of a private soldier. The subject is a view of a very blue bay with very yellow sand, and very green trees; buildings of a pleasing white; and a mountain thrusting itself ostentatiously out of the back ground, and emitting smoke. We need not the classic-looking peasantry in the foreground—one of whom is talking to somebody else's wife on the trunk of a fallen tree, another of whom is fishing and evidently not caring about catching any thing, and the rest of whom are sprawling miscellaneously in the shade—to tell us that Naples

is the bay and Vesuvius the mountain. We are just remarking the peculiar perspective which the artist has employed in the composition, and thinking that if nature was arranged upon the same principles, the bay would infallibly pour itself into the orchestra, and the mountain come toppling down upon the heads of the first boxes, when the bell rings and the curtain rises upon a "screaming farce."

The next moment we are in the presence of Buckstone. There can be no mistake. The appearance is unmistakeable, the voice beyond all dispute, and the conduct identity itself. No other man ever carried comicality of countenance to such a pitch; no other man ever made so much fun out of a weak voice; no other man ever allowed himself to be made such a fool of by his wife, or blundered with such an irresistible combination of shrewdness and inanity when he wanted to transgress upon his own account. The evidence of the play bill is to the effect that the character is played by Lieutenant * * * of the * * Regiment, but this anybody may believe who pleases—we believe the man to be Buckstone, and although temporarily shaken in our conviction by the man coming to the front of the house, when the piece is concluded, and sitting beside us, in a red jacket with the well known facing of the * * th, and asking us whether we will go to supper at the mess of that gallant corps when all is over, we are still under the impression that it *is* Buckstone, or else—which is the modification we submit to, the next morning—or else a very good imitation of him.

In the same manner we see Keeley. In the same manner we see Wright. All these men have their representatives—and very good representatives too—in India, among officers fresh from furlough, who have made good use of their evenings in London. We have seen Wright blunder more at sitting upon a lady's bonnet, or performing the other pleasant farcical feat of smashing a baby in a chest of drawers, than several officers whom we could name at station theatres in the North West. The proverbial cowardice of Keeley, too, (we are speaking of course in a professional sense,) we have seen emulated in India in a manner that most infallibly would have lost the actor his commission, had he exhibited it in half so natural a manner in his private life. The great difficulty, as we have said, is with the female parts. But it is wonderful—the way in which the difficulty is occasionally overcome. As regards "the men" it is of course difficult to make them very ladylike, but they contrive to be very like possible ladies, and although it must be confessed, they do not readily accommodate themselves to the nice conduct of Crinoline, and do make broad strides, and pitch their voices in an unseemly manner—still they accomplish most of the requirements of

female impersonation, with a degree of success that would scarcely be expected, and which is almost as much as is required for a broad farce. But the great success is attained when a clever Griff is caught for the purpose. It will not do to catch him too young, because he is then apt to be nervous, and although his "getting up" may be unexceptionable, he is apt to spoil the entire performance by running off the stage almost as soon as he has been dragged on to it. It is an unfortunate fact, indeed, that confidence seldom comes before whiskers, and that when a man is possessed of both, he will not always exhibit the one at the expense of the other. But when confidence develops a little in advance, and whiskers are not in his way—it is surprising how successful a female part can be made, despite the difficulties of sex. The performer of course lays his female friends under contribution for costume, and it is said, gets them to dress him occasionally—but this we don't believe. He certainly contrives to get dressed somehow, and often very well dressed. And we have seen gentlemen in India act in a more really lady-like manner than many of the "female parties" who are on the stage at home.

We need not further accompany our friend through the evening's entertainment, the nature of which the reader can form some estimate of by this time. The class upon whom it produces the greatest effect, is of course the natives; and it is to be feared that the European name is not elevated in their eyes by the exhibition. But we are fortunately strong enough in this country to endure any amount of contempt which may be incurred by military officers and solemn civil functionaries indulging in congenial buffoonery, just as we are enabled to brave the public opinion which looks upon dancing as somewhat infamous, when we do *not* do it by deputy, according to the Eastern custom.

The general habits of life of residents in the North West have been variously criticized, because they have been variously understood. The mistake usually made, is to select individuals, and to consider them as representing classes. We should no more take the model civilian, who spends ten hours a day in his cutchery, never smokes, drinks nothing stronger than a glass or two of champagne at dinner, and is ten years behind the age in his shirt collars, and general information, as a type of Indian Society, than we should take the traditional subaltern who has been so often described, who shirks every kind of duty, professional and social, as much as he can, and whose life is principally made up of "pegs" and promises to pay. We doubt whether these two popular objects of satire could ever be accepted as types, but they certainly cannot in the present day, when a marked improvement in the tone of society has taken place in India. It is true that

we do still meet with specimens of what we may call the "Country bottled" classes. The Civilian who has never been home, and who can talk nothing but shop, is still to be met with in the North West. Also the "pegging" style of subaltern, whose conversation is half Hindustani and half slang, and nearly all sporting, who has no chance of ever getting home, and whose great object in life is to qualify himself for sick leave to the hills, which he gets at last for a longer period than he expects. But it must be admitted that these specimens are not numerous, and that they are fast becoming more rare. As a general rule, society in the North West is at least as intellectual as the same rank of society at home, and despite dozens of reasons why it should not be so. The climate is of course the great difficulty, but we deny that it is the great demoralizer that some writers seem to imagine. Who has not read in English as well as Indian periodicals, a description of a hot day? The resident in the North West is usually described as getting up at daybreak; hurrying on his clothes and taking a gallop with a cheroot; calling in at the Coffee shop to talk shop and scandal; returning home to bathe, and breakfast off mountains of curry and fish and eggs, all jumbled together; looking in at his cutchery (we are supposing the case of a Civilian) for an hour or two, and knocking off some routine business; returning to a tiffin consisting of piles of turkey and ham, curry and rice, washed down by unlimited beer, qualified with sundry glasses of sherry; then going to sleep for a couple of hours; waking up in time for the evening drive; returning with just strength enough to dress and dine off more turkey and ham and curry, washed down with champagne, perhaps, instead of beer; and immediately afterwards going to bed under a punkah. Descriptions which we have read of the lives of Military men are even worse than this. In a recent work it is asserted that after parade, when his work may be considered over for the day, the usual practice of an officer of the Indian Army is, to bathe, and dress of course: then to breakfast heavily, then to undress deliberately and go to sleep, after a mild attempt to read a volume of the Parlour Library; to wake up at one or two o'clock to a heavy tiffin and a fabulous amount of beer; then to undress and go to sleep again, this time without any such apology as the Parlour Library; to rise and dress for the inevitable evening drive, and to return again to a heavy dinner, and bed almost immediately.

We need not enter into elaborate speculations upon the probabilities of such a mode of life being adopted by a gentleman of only moderate intelligence, under any circumstances of climate and confinement. But we ask any of our readers in the North West, whether they are accustomed to spend their days in the manner

described? They will inevitably answer that they are not. We ask them, then, how many of their friends or acquaintances they can point to, as coming within the category? We doubt whether they can point to any whose habits even approximate to those stated to be general in the North West. As for any man's habits answering *literally* to the description, the notion is mere nonsense. But it should not be forgotten, that the above is meant to apply to the steady and respectable officer of the Indian Army, a married man perhaps. Who, after that, can describe the habits of the dissipated specimens of the class? The last attempt of the kind has just been made in a popular periodical at home. The article has already been so well described by a North West journal, that we cannot do better than follow our contemporary's account.

"Mr. Go-a-head Griffin, the hero of the sketch, is an ensign in the Seringapatam Slashers, quartered at Burragurrumpore. This station, we infer from its heat and the variety of corps quartered there, is intended for Cawnpore. At all events, it is some large cantonment, the seat of a Brigade, in the Upper Provinces. In large cantonments there is always something "going on," even during the hot winds. That something is certainly not much, but it might interest European readers. In the article before us there is positively nothing of the kind. Sleeping and drinking are the occupations of Mr. Griffin, and his twenty-four hours are so wholly eventless, that we wonder why a narration of them has been given to the public. Here is a summary of the article, and the reader may judge of it for himself.

"The hero, Mr. Griffin, is introduced to us in bed. A sleeping hero may make a fine picture, but not when he has been tipsy overnight, and musquito-bitten till morning. This is Mr. Griffin's condition, and he is, moreover, the victim of hideous dreams, caused by the wailing of a pack of jackals. This awakes him, and in starting up he knocks his head against the punkah. Of course he must have a cheroot after this. Further attempts to sleep are frustrated by the mosquitoes, and the laziness of the punkah cooly. At last, Mr. Griffin, after vainly expostulating with that functionary as a 'sleepy son of an owl,' and a 'lazy, good for nothing black pig,' jumps up and gives him a sousing and a kick, which last operation merely hurts the inflictor's foot. The result of these annoyances is a glass of brandy-pawnee, which is the first 'tot' of the subaltern's eventful day.

"The brandy-pawnee, and castigation of the cooly, enable Griffin to sleep till gun-fire, when he is dragged to consciousness by his bearer. Griffin remonstrates, but the bearer is stern. The Fates have decreed that he must get up; and another minister of the Fates enters in the person of the khitmutghar, who brings a cup of tea. Encouraged by this assistance, the stern bearer forces on his master's

socks. Mr. Griffin, who appears to be a slave in the hands of his menials, is thus forcibly ousted from his bed, and is at last sent forth by the mandate 'your lordship's horse is at the door,' to parade. Thus, by the combined influence of bearer, khitmutghar, and syce, this officer and gentleman proceeds to do his duty.

"We have not space for the description of parade, but we perceive that Mr. Griffin performs the spirited manœuvre of sneaking round to the rear to escape notice. After parade he attends orderly room, and returns home, visiting *en route* a Parsee shop, where he imbibes a curaçoa 'peg.' This is his second dram before breakfast, which he preludes by a feast of mangoes. After an hour with his moonshee, Griffin dresses, and sits down to a breakfast consisting of 'curry, omelette, fish, rice, eggs, jam, and bottled beer.' After breakfast he discusses a cheroot, and quietly goes to sleep.

"The next episode is a round of visits. 'Tired of his own society, which he finds excessively stupid, Griffin orders his buggy, and determines to brave both sun and heat in search of a little excitement.' After the breakfast, and its antecedents, we are not surprised to find him, at the first house where he calls, 'hopelessly entangled in the furniture,' and 'upsetting a table in his way.' That he was ever admitted is indeed matter for surprise, for we should imagine most people to have been as tired of his society as he was himself. After his visits, he adjourns to the mess, where he meets a congenial character, Sponge of the Artillery, and having won a gold mohur of him, invites Sponge to tiffin. The tiffin consists of an awful 'devil' in which mustard, cayenne, Worcestershire sauce, West India pickle, and other irritating ingredients, are mixed. This awful compound is washed down with 'a cup' and some more brandy-pawnee. After this, Griffin, who is now reasonably obfuscated, proceeds to the band. We here get the following elegant *morceau* of description. 'Arriving at where the band is playing, he goes the round of the carriages filled with lolling *mem-sahibs*, dressed in mediæval fashions, and looking rather dissipated.' From these 'dissipated' characters Griffin works his way to the carriage containing the belle of the station, 'a handsome, overdressed girl, the only spinster for a hundred miles round.' This handsome overdressed girl is, however, destined to marry the Commissioner, 'a dried up old gentleman, who owns, lucky girl! lacs of rupees, and luckier still, an inflamed liver.' Why should a Commissioner be dried up, and why, of all men, should he own an inflamed liver?

"Last episode of all is dinner. It is a mess night, and Griffin invites his friend Sponge. Neither of them have an appetite, which, considering their 'devil' and its concomitants, is not surprising. Griffin makes a hearty meal of a quail roasted in vine

leaves, and prawn curry, while Sponge only feels himself equal to an ortolan and plantain fritter. The liquids, however, are done full justice to, especially by our two friends, who by the time of cheroot lighting are tolerably far gone. After dinner they indulge themselves with billiards, brandy-pawnee, and 'pegs,' and wind up with *vingt-et-un*, grilled bones, and iced beer, the result of which is, that 'Griffin' is put to bed by his bearer in a condition of utter helplessness, the united effect of heat and dissipation, where he will snooze away half the day in a miserable state, having taken the precaution the evening before, in expectation of a 'wet night,' to ask for leave from parade, on the plea of being indisposed, which he certainly was."

We agree with the writer in considering Griffin to be a vacuous young snob, and in indignantly denying that he can be accepted as a specimen of the Officers of the Indian Army. But none of our readers in this country require to be told that. The mischief which such gross caricatures do, is at home; and there, we have no doubt, the description of the vacuous young snob will be accepted as a correct picture of Military Life in the Mofussil. People in this country need scarcely be told of the many young officers who, so far from conducting themselves like Griffin, pass the mildest and most monotonous existence that can be conceived. There are in the Company's Army at the present moment, some of the most tremendous martial fellows, who would be a positive terror to the Civilians of an English country town, who are vegetating in this country not merely upon their pay—which is bad enough—but upon their pay "cut" it may be, in half, in order to liquidate the cost of very excusable debts incurred at the outset of their career, or for the purchase of "steps," the benefits of which they enjoy only in the future. These young men—believe it or not as you please, young ladies in England, who imagine gaiety and profusion as inseparable from military life—these young men debar themselves from every luxury, and from nearly all enjoyment. They do not belong to the mess, or did not until they were compelled to do so, and now they spend as little money there as possible. They live in houses only half furnished, three or four of them together sometimes;—ride little tats which would make people in England laugh; do not subscribe to the Ice concern, nor to a mutton club, nor to a book club. They run up no bills in the station for those pickled pleasures imported in tins from England. Their table is of the simplest, and even beer is not copiously indulged in. In nine cases out of ten when one of those notices of "something going on" is making the round of the station, they do not subscribe, but content themselves by writing the word "seen" after their names. A ball on the Queen's birthday perhaps brings them out; for they

have a great notion of matters of duty ; and recognize such occasions as one of them. They accordingly involve themselves in an occasional affair of the kind (to the extent of some seven rupees eight annas) and think that they have "come out" amazingly. But these are red letter days in their lives, which are principally passed in getting up in the morning in time for parade, grinding away half the day at the native languages, dining early, and going to bed early, after a copious libation of weak tea. Once or twice a week, perhaps, they partake of this refreshment with a married officer of the regiment, who is going through a similarly prudent regime—a couple who not being able to "entertain," and whose society is not considered to repay gratuitous politeness, are seldom invited out by the big people, and live in a state of domestic mystery, which is additionally humiliating from the fact, that the outer world shows no curiosity concerning it. It is rather unjust to reputable and useful, if not brilliant and conspicuous, members of society like these, to be associated in the general condemnation of the class, by writers who have made the "extravagance and profligacy of Indian life" almost proverbial.

We have alluded but little to the Civilians—officially so described—who form so important a part of Society in the North West. They are of course included in the strictures of writers who have described that society ; but of course, whatever their degree of importance, they are in a numerical minority, and are therefore not so concerned as their Military brethren in the verdict which has been from time to time passed upon it. The fact is, that the Civilians receive such large pay, and have so much to do, that they are not exposed in any way to the same temptations as Military officers. In a North West station they are generally found to be highly valuable members of society. Upon them devolves the principal portion of the duty of "entertaining," and as a general rule it must be admitted that they perform that duty most hospitably. It is, to be sure, a common complaint in up-country stations, that the festivities are usually confined to "heavy dinners"—a ball or a pic-nic being a rare exception. But it should be remembered that civilians are but men, and that they are seldom rich enough or important enough to entertain the whole station at once, until they have gained a gravity of years that renders the wilder pleasures less congenial to them than at a period when—they used to make the same complaints of other people. Nor is the weakness peculiarly Indian. People at home seldom give balls after they have ceased to enjoy them themselves, unless for some particular object. A public man is glad to increase his connexion and popularity. A private gentleman has a daughter or two to marry. These are among the main reasons why people give balls at home. In the North West, what public

man cares about popularity, except with the Government? His position is made. It will never be improved by his wife receiving crowds of people whom she joins with him in not caring about. A daughter or two to marry,—need a man of any position in the North West trouble himself to give balls on that account? Daughters to marry are rare birds indeed, and any one with the usual number of eyes, and who hasn't a hump, may (as Thackeray has said more generally) marry any man she pleases. The difficulty is to keep the suitors off. No: it is evident that "a party" in the North West that is not a dinner party, is the reverse of what political parties have been said to be—it is the madness of the few for the gain of the many, and it is not to be wondered at, that the few do not go mad more often than they do. This stern state of things is greatly to be regretted, because amid the heat and *ennui* of the Mofussil, pleasures become duties, in fact, and not merely in the sense in which the French say the English make them so. And any pleasures which do not consist in eating and drinking are grand discoveries, and should be cultivated and encouraged by every man. The *ennui*, far more than the heat, is the bane of up-country life. It is true that pig-sticking and shooting can always be found at convenient distances from most stations. It is true that there are always cards and billiards to be had. Sometimes sky races, sometimes archery. But with the exception of cards and billiards, these recreations are not to be had exactly when a man wants them. He cannot always drown his private wretchedness in pig-sticking. Perhaps he is not a pig-sticker, perhaps there are no pigs. He cannot always forget his yearnings after the ideal in going after birds. He may not be a shot, and there may not be any birds. In any case he cannot always get leave when he wants it. Cards and billiards have their temptations and dangers, and besides, may not suit a man's taste. The same objection applies more or less to sky races and archery. What is a man to do then? Read and improve his mind, it may be answered. True, but a man cannot be always reading and improving his mind. A pleasant state of things that would be, indeed, with every body so preternaturally intelligent, that one could never hazard a stupid remark. Why, conversation would be at a stand-still, and society at an end. Besides there are hundreds of men in either of the services, which mainly go to form society in this country, who do read, and read to very good purpose. Many of them gain distinction by these means, in authorship or otherwise. And there are many more who have ample qualifications for doing so, and who remain mute inglorious Miltons, for want of a motive to be anything more. As far as society is concerned, however, they do good work. And considering the proportion of men of high talents and attainments

scattered about the country, and who are at least equal in number to the "Country bottled" class of the old school, it seems rather hard that the popular impression of the "tone" of society, has not been taken from the one class rather than the other. But it is certainly a matter of right that the society should be judged by the majority of its members, who though not exactly belonging to either of these classes, are yet just as clever and cultivated as the same rank of persons at home.

It is certain indeed that a great change has taken place in India of late years, in nearly everything. That the change has been for the better, who will deny? The advancement has been mainly caused by facilities of communication with home. It is being extended by facilities of communication with different parts of this country. The Electric Telegraph was a great step. But with all our respect for the "diffusion of ideas," we cannot blind ourselves to the fact that people do *not* communicate ideas by Electric Telegraph, never did, and never will do. They do not even communicate information, unless it concerns themselves, or unless they happen to be newspaper correspondents. No : they send messages to tailors to send them up coats, and they send messages to merchants to send them up beer. They send messages to tell their friends of births or deaths in which they are concerned, and messages of all kinds bearing upon their personal affairs. But this is scarcely the "diffusion of ideas" which is here talked about. That object is performed infinitely better by the Post Office, unless the ideas happen to be accompanied by money, (which it must be confessed they seldom are,) in which case they are apt to be stopped in their circulation, and that which was "meant for mankind" given up to a subordinate official. The great diffusion of ideas will be accomplished through a strictly material agency. The Railway will be the great regenerator of India—of the Provinces of course more than the Presidencies. What man will appreciate the privilege of telegraphing to his tailor, when he and his tailor can so soon be made to meet? What man will concentrate his gratitude upon the electric fluid for signifying that he is thirsty, when his beer can be brought to the bosom of his family, as with the stroke of some enchanter's wand? The diffusion of *men* will include the diffusion of ideas, and is the only real way of diffusing them. Of course when we say men we mean women—not as a difference but as an addition, and this brings us to a subject upon which we have ventured to touch but slightly hitherto.

Some of the critics of Indian Society have been very severe upon the female portion of it. One says that they swear, another that they drink rum. We are not quite sure that these are the precise charges brought against them, but we have cer-

tainly read something equivalent in Mrs. Colin Mackenzie's book. Need we enter into a defence of our countrywomen in India, who do not differ from our countrywomen at home in any respect, but in finding themselves in a warm climate, and in endeavouring to accommodate themselves to it in as amiable a manner as possible? We know that there have been Military ladies, who would call themselves by their husbands' titles when they have an opportunity for describing themselves officially, in dāk bungalow books, and such places. We know that there have been Civil Service ladies, who took upon themselves the dignity of their husband's offices, and talked most alarming shop. But these monstrosities must have been pensioned off some time ago, for it is certain that we do not meet with them now. These remnants of a barbarous age have passed by, and in place of them, we have ladies with the last French bonnets, the last English ideas, and who actually marry for love, occasionally, in the European style. It is true that there is still a notion existing in England that gentlemen in India send home for wives, and have strangers brought out to them, whom they marry with great docility, and live with, until the wives run away from them, that is to say for three months or so. But what does it matter if people in England choose to believe in nonsense of the kind? It amuses them, and it does no harm to the subjects of their oriental imaginings. All observant people in this country cannot but see that there never was such a country for happy marriages, a country where the life of the husband and the life of the wife are so bound up together, and that this is peculiarly the case in the North West. Marriages are made up suddenly, to be sure, in India; but, considering how well they usually turn out, the fact is all the more in favour of the state of society which admits of such precipitation. It is amusing enough to hear of the marriage, in the Mofussil, of people who have been acquainted for a month or two; of the singularly little ceremony attendant upon the event; and of the lady going home to the husband's house, whilom his bachelor's den, instead of the couple scampering about for a month as if they were ashamed of themselves, according to the modest English custom. But we ask any fastidious person who may object to the proceeding, what he would have substituted in its place? If the lover waits until he knows the lady more, somebody else, who knows her less, will probably snatch her up, and he will not be much the gainer by his delicacy. And as for going on a wedding tour, we would simply ask the fastidious person to get the bridegroom leave to go in the first place—to find him a place worth going to in the second place, and to pay the expenses of the journey in the third place. For ourselves, we are quite contented in the assurance that marriages in India—made in all the strange ways that they are—do some-

how succeed: and after that fact, we have the utmost contempt for anybody's opinion upon the point. Railways somehow led us to the subject of marriages. They will of course be immense promoters of that institution; and in their influence in this respect alone, we shall be able to find a cure for the only real disadvantage (after the climate) to which residents in the North West are liable. When Railways are in full operation, there will be no excuse for even the most susceptible of men making *mésalliances*—which some few of them (very few it must be admitted) are apt to do at present. Every man will be able to go to the Presidencies and choose from the latest arrivals—if they will have him; and so keep up the “tone” of society, and the purely European character of the race. Indeed the improved means of transit will have such an effect in bringing strangers into the Provinces, that journeys to the Presidencies will be seldom required for such a purpose. And who shall describe the general effects of this influx of strangers into the Provinces? We are not discussing politics at present, and shall refrain from describing the effects ourselves. But we do not hesitate, at the same time, to declare our belief, that those effects will be of a character, for a description of which “tremendous” is a mild term, and “highly beneficial” an insulting form of coldness.

ART. II.—1. *Selections from the Records of the Bengal Government.* No. VII.

2. *Electric Telegraph Manual.* By W. B. O'SHAUGHNESSY, M. D., F. R. S., &c.

3. *First Report on the Operations of the Electric Telegraph Department in British India—From 1st February, 1855, to 31st January, 1856.*

4. *Anglo Indian Telegraphs.* By C. C. ADLEY, C. E., &c.

THE early history of Electricity, like that of others of the experimental and phenomenal sciences, is lost in mists of conjecture. At the first dawn of philosophy, vague indeed were the ideas and theories regarding a power, mysterious in its nature, and apparently imbued with a divine essence. More than twenty centuries ago Thales the Milesian philosopher discovered that *electron* or amber, when subjected to friction, exhibited the property of attracting feathers and light substances. We doubt if the venerable savant, when announcing the simple fact to his admiring disciples, was in the least degree aware that he had given to the world the first hint of a great power, which in after ages would minister to the refinements and necessities of civilization in a most marvellous manner. Whether the new power was of divine origin, or the amber was possessed of a soul or an evil spirit, were questions which, in those dark ages of superstition, naturally agitated the human mind, and struck even the learned with awe. The necromancer seized upon it as a valuable medium in the practice of his mysterious arts, and employed it to increase and strengthen the too popular belief in his communion with supernatural agents. The hoary headed priesthood employed it to work on the superstitious fears of their believers, so as to terrify them into abject submission. Centuries however rolled away before the plain unvarnished tale of the Greek philosopher disclosed any sign of further developement. From the announcement of Thales to the discovery of the Leyden jar, science looks on a vast and lamentable void of upwards of two thousand years.*

The invention of the Electric Telegraph may be said to have been dimly shadowed forth from the remotest antiquity. Without being irreverent, may we not fancy that we find an allusion to it in the book of Job, when from out of the whirlwind the question is asked "can'st thou send lightnings that they may go, and say unto thee, here we are."† Tradition also

* Thales 600 B. C.; Leyden jar 1746.

† Job XXXIII. 35.

appears to have handed down some vague prophetic allusions to the future wonder of a wonder-teeming age. Three hundred years ago the Elector Frederic of Saxony is related to have had a strange dream. The Monk Luther appeared to him writing with an iron pen on the door of the Chapel Royal at Wittemberg, and the iron pen which Luther handled was so long that its feather-end reached Rome, and shook the Pope's triple crown on his head. The Cardinals and others ran up to support the tottering tiara ; but in vain. The iron pen now handled in London reaches to Turin and Genoa ; when it has been extended to Rome will it not shake the Pope's triple crown ?

Poetry also appears to have contributed its quota in anticipating a means of instantaneous correspondence. In the "*Prousiones Academicæ*" published in Rome in the year 1617, the author (Famiano Strada) refers to a plan of corresponding by magnetic agency, mentioned in a Latin dramatic poem purporting to be illustrative of a pageant got up in Rome by Leo the 10th. In this poem various eminent scholars of the time spoke poetical pieces of their own composition, in the character of the most celebrated poets of antiquity ; and in the part ascribed to Cardinal Bembo he says metaphorically, that he could make two lovers correspond at any distance apart by means of magnets affixed to desks with the letters of the alphabet inscribed thereon. Each of the two lovers was to have a magnet and a desk similarly inscribed, and these magnets, although separated a great distance apart, would have a sympathetic influence on each other when either was touched. An indicator was to be fixed on the desks, and by means of the sympathetic influence of the magnets, and a pre-arrangement between the correspondents, the indicators could be made to point simultaneously to any desired letter of the alphabet, and thus the correspondence be maintained. Strada in concluding his remarks, and supposing the plan feasible and accomplished, breaks out into the following amusing rhapsody, which would almost make one suppose that he had a special view to India, as he represents the great advantage of this mode of communication to consist in its freedom from such casualties as the robbing of the dâk, and the delay occasioned by swollen torrents :—

O utinam hæc ratio scribendi prodeat usu !
 Cautior et citior properaret epistola, nullas
 Latronum verita insidias, fluviosque morantes.
 Ipse suis princeps manibus sibi conficeret rem :
 Nos soboles scribarum emersi ex æquore nigro,
 Consecraremus calamum magnetis ad oras.

At the present moment, although we have not yet sacrificed our pens, nor, literally speaking, are able "to waft a thought from Indus to the Pole," nevertheless modern science has given

us the control over a power whose results practically developed will eventually eclipse the wildest dreams of the poet, and the most extravagant fancies of the philosopher.

Passing from the domain of speculation, poetry, and dreamland, we will glance at the first crude ideas practically employed to accelerate intercourse between distant places. In the primitive ages the blowing of trumpets, beating of drums, and lurid glare of beacon fires, were the only available means of rapidly conveying intelligence afar. "Blow ye the trumpet in Tekoa, and set up a sign of fire in Bethaccerem; for evil appeareth, out of the north great destruction!" was the command of Jeremiah when he warned the Benjamites to gather themselves together to flee out of Jerusalem. At a later period, at the downfall of Troy, Agamemnon ordered fire-signals to be lighted, to publish abroad the fate of the ten years' struggle. Still later, when after the conquest of Gaul, Cæsar effected a landing in Britain, the beacon fires which at midnight flashed from hill to hill summoned our sturdy forefathers together to join in common cause to repel the invaders. Scotland too adopted a similar plan to give warning in cases of political danger. The "Border Beacons" which crowned the various hill-tops, formed a line of telegraphic communication with Edinburgh, and when an enemy was expected one bale or blazing faggot gave warning of their approach; two bales that they are "coming indeed" and four bales blazing beside each other that they are "coming in great force."

The above methods, however, were merely temporary, and only adopted in cases of emergency or fierce political excitement. The earliest practicable project for regular intercourse was that proposed by Dr. Hooke in the year 1684. He suggested the employment of "masts and yards," but no encouragement being given, the plan was never carried out. Subsequently came Guillaume Amontons, who proposed the following plan. In a series of consecutive stations persons were stationed, who by means of telescopes having perceived flags or other signals at a preceding station, transmitted them to the next, and so on in succession to their destination. Each different signal corresponded to a letter of the alphabet, the key to which was known only at the terminal stations. This proposal was also neglected. Then followed Marcel, who meeting with no encouragement, broke his machine, burnt his drawings, and died without revealing his secret. About the same time appeared Linguet, who while a prisoner in the Bastille, invented a telegraph which he offered to construct in exchange for his liberty. His efforts also were fruitless. Among others who were investigating the subject at the same period, may be mentioned Bergstrasser of Haynau, who

tried every branch of telegraphy; but his mind being confused with a variety of plans, nothing was accomplished. Finally we find that we must yield to the French the honour of having constructed the first useful telegraph, and this was the Semaphore Telegraph invented by the brothers Chappe. Their plan was very simple. The signals were conveyed by means of arms or levers placed in various positions, for instance, an arm in an upright position signifying A, a horizontal position B, and so on. The signals were easily read off at a distance by means of telescopes. A similar plan was afterwards introduced into England, but has long since been abandoned from its inutility. It was subject to frequent interruptions from fogs, gloomy or rainy weather, and on the average it was found to be available for only one-fifth of the whole year. The brothers Chappe were remarkably favored in the introduction of their Semaphore Telegraph. An experimental line was constructed under the auspices of the French Government, and its opening was inaugurated by the announcement of a victory. The first message ran thus, "Conde is recaptured from the Austrians." To which the assembly replied "The army of the north is well deserving of its country." These messages interchanged during a short space of time determined the adoption of an invention wonderful for the period; numerous watch towers sprang up throughout the country, and the system was speedily established.

Although it would be very interesting to trace the gradual development of the science of electricity, and its kindred science magnetism, from the earliest ages to the present time, our space is too limited to notice more than what bears directly on the subject before us. We must pass therefore from the primitive discovery of Thales to that of the Leyden Jar, as this last appears to have originated the idea of employing electricity for rapidly communicating intelligence between distant places.

Soon after the discovery of the Leyden Jar, Dr. Watson, Bishop of Llandaff, transmitted a discharge through a distance exceeding four miles without any loss of time, although a great part of the circuit was formed of land and water. Subsequently Winkler at Leipsic, and Le Monnier at Paris, repeated the experiments, and the success attending them suggested the idea of employing statical electricity for telegraphic purposes.

The history of the Electric Telegraph is divisible into two distinct eras, the Electrostatic and Electrodynanic,—very hard words doubtless to the general reader, but very simple when explained. By Electrostatic we mean all telegraphs in which statical electricity, or electricity produced by friction, is the exciting agent. By the term Electrodynanic we mean telegraphs

in which current or dynamic electricity, *i. e.* electricity produced by chemical action, is the motive power. The difference between the two electricities may be thus popularised. Statical electricity shews a great tendency to dart off from its conductor to any other conductor that is adjacent; dynamic electricity always remains with the same conductor, unless some other conductor absolutely touches it; statical electricity darts along in sudden gushes, and is like the precipitous dashings of a mountain torrent, while dynamic electricity pours itself out in a continuous stream, and is like the steady and onward flow of the broad-rolling Ganges.

We have tabulated in chronological order the various plans of telegraphing by statical and dynamic electricity, so as to enable the general reader to form a succinct and correct idea of the subject. The first table comprises all telegraphs in which statical electricity was employed, as follows :—

<i>Inventor.</i>	<i>Date.</i>	<i>Plan and Remarks.</i>
Odier	1773	Odier appears to be the first person on record, who conceived the idea of employing electricity for telegraphic purposes; no definite plan however is given. He merely states that he could send messages to a distance of 5,000 leagues in half an hour. The idea appears to have occurred to Odier, by a word accidentally dropt at the table of Sir John Pringle, when Franklin, Priestly and other scientific men were present.
Lesage	1774	Employed 24 wires connected with 24 pith balls suspended by threads. Each ball represented a letter of the alphabet. On exciting an electric machine, and joining it to one of the wires, the pith ball of the electrometer belonging to it was repelled, and the motion signified the letter intended.
Lomond	1787	Considerably improved Lesage's plan by reducing the 24 wires to one.
Betancourt ...	1787	Transmitted messages between Aranjwez and Madrid, a distance of 25 miles. The details of his plan have not transpired.
Reiser	1794	Proposed employing illuminated letters. Small pieces of tinfoil were placed at short distances apart on squares of glass in the shape of the letters of the alphabet. When a discharge was sent the desired letter became visible in a brilliant succession of sparks.
Cavallo	1795	Proposed to employ detonations for calling the attention.
Salva	1796	Constructed a telegraph at Madrid, but no description has appeared.

<i>Inventor.</i>	<i>Date.</i>	<i>Plan and Remarks.</i>
Ronalds	1823	Employed a circular brass disc on which the letters of the alphabet were engraved. The disc revolved behind a screen, in which was a small aperture sufficient to disclose only one letter at a time. When the desired letter was visible a discharge was sent, and the collapse of the pith balls at the opposite terminus showed that the letter then visible formed a part of the message.

None of the plans mentioned in the foregoing table were ever put into execution; some of them, though very ingenious and beautiful, failed in the elements necessary for practical success. It is to the electrodynamic era that we must look for some satisfactory results, as the nature of the electricity employed in this is much more tractable, if we may use the expression, than in the previous case. The discovery of electrodynamic electricity was effected in a most singular manner. Professor Galvani having accidentally discovered that the muscles in a dead frog's leg could be excited into motion when acted on by the electric machine, instituted a series of experiments which promised to lead to a full development of the nature of nervous action in the human system, and of the origin of muscular motion. These experiments induced the professor to propound a theory, in which the hitherto hypothetical agent which passed under the name of the "nervous fluid" was set aside, and electricity was considered as "the vital principle by means of which the decrees of the understanding and the dictates of the will were conveyed from the organs of the brain to the obedient members of the body." This theory, although it dazzled the imaginations of scientific men, and fascinated physiologists, was opposed by Volta, who considered that the electric excitement was due to the mutual contact of two dissimilar metals, and that the muscles of the frog merely played the part of a conductor. The result of this controversy gave rise to the invention of a new source of electricity, which in courtesy to the inventor was called the Voltaic battery. This novel instrument rapidly created a new science. By its means were effected the most important discoveries in chemical philosophy, and by its aid we are now enabled to dart forth the lightning-winged message over forest-bound mountains towering in majestic grandeur, and across raging and pathless oceans.

We will now place before our readers in a tabulated form, the various plans proposed for telegraphing by dynamic electricity until some practical result was obtained. The following table, commencing with Sæmmerring and concluding with Morse, com-

prises all the various inventions prior to and relating to the actual development of the Electric—or as it should be more correctly called—the *Dynamic* Telegraph :—

<i>Inventor.</i>	<i>Date.</i>	<i>Plan and Remarks.</i>
Sæmmerring..	1811	Employed 35 Wires—25 to represent the letters of the German alphabet and 10 to represent the numerals. The letters were denoted by the decomposition of water which took place beneath the eye of the observer between gold points.
Schneeger ...	1812	Improved the above plan.
Wedgewood...	1813	Proposed writing by electricity, but the details of his plan have never been published.
Coxe.....	1816	Proposed to make signals at a distance by the decomposition of water and metallic salts, causing a change in colour to ensue.
Ampere	1820	Employed 35 Wires, the same as Sæmmerring, but substituted magnetic needles placed in coils of wire for the evolution of gases between gold points.
Baron de } Schilling. }	1833	Constructed a telegraph, which consisted of five magnetic needles and coils, the needles being set in motion by a key, an alarm for calling attention was also used. The Baron de Schilling died before his plans could be perfected.
Gauss and } Weber ... }	1834	Tried the principle of magneto electric induction on a magnetic bar for transmitting messages.
Alexander ...	1837	Followed out the same principle as Ampere, but used only 31 Wires instead of 35. He further made the improvement of letting the letters of the alphabet themselves become visible, by dropping small screens placed before them.
Wheatstone...	1837	Employed 5 needles and an alarm similar to the plan of the Baron de Schilling. The five needles were subsequently reduced to two, which comprises the telegraph now so generally used in England.
Morse	1837	Made use of the Electro-magnet for producing signals and employed only one wire. The signals were given by marks made on paper by a steel pen. This is the instrument now so extensively adopted in America, and about to be introduced into India to supersede the defective instruments now in use in this country.

On examining the foregoing table it will be observed, that the inventions first on the list were chiefly for producing signals by decomposition of water when subjected to electric action. It will also appear that the scientific world were constantly on the “*qui vive*” ready to snatch at every new discovery, and to seize upon any hint that might be thrown out advantageous to the introduction of a system of telegraphing by electricity. And strange to say, the philosophers who made the discoveries and threw out

the suggestions were not the persons who profited by them. While they discovered, others seized upon their discoveries, and turned them to profitable account. The discoverers appeared to place too light a value on the result of their investigations, and to have passed on puzzling and panting after more brilliant achievements.

In 1819 Professor Oersted started the science of electro-magnetism, by discovering that when a magnetic needle was placed above or below a wire, and a current of electricity was passed through the wire, the needle had a tendency to place itself at right angles to the wire. Scarcely had this discovery been made when Schweiger improved upon it, while Ampere at once applied it to telegraphic purposes, but without success. He employed 35 wires, and the consequent great expense was at once a barrier to the introduction of his plan. Twelve years afterwards the Baron de Schilling takes up Ampere's plan, improves upon it and reduces the number of the conducting wires to six. Death however suddenly cuts short the Baron's projects; five years later Alexander, Wheatstone and others are investigating the subject. Alexander employs 31 wires, but is unsuccessful. Wheatstone revives the plan of the Baron de Schilling, employing six wires only, and succeeds. Steinheil at the same time, by employing magneto-electric induction as the motive power, and discovering the use of the "Earth Circuit" reduces the number of the wires to two. Wheatstone immediately reduces the number of his wires to two, and the Telegraph in its wondrous simplicity startles the world!

Contemporaneously with the above investigations, other scientific men were engaged in pursuing the same subject, but were following a different course of research. While Oersted discovers electro-magnetism, and Arago, observing the magnetic properties of the electric current, finds out the attractive power of soft iron, Sturgeon constructs an electro-magnet, and notices the increased power to be obtained from it. Professor Morse immediately appropriates the electro-magnet to telegraphic purposes, invents an instrument in which only one wire is required, the American Government aid him in his plans; and his efforts, like those of his colleague Wheatstone, are crowned with success.

Scarcely had it been publicly made known, that the practicability of the Electric Telegraph had been demonstrated by actual experiment, that a means of instantaneous communication which had hitherto baffled all the powers of scientific men, and been ridiculed as only the dream of the poet and enthusiast, was now an unquestionable fact, when a host of competitors for the honour of the priority of the invention started up—nor is it to be wondered at that such an array of claimants should have so suddenly appeared on the arena, because a splendid discovery or invention

is not the achievement of one individual, but the result of the combination of the researches of a number of persons, all pressing forward with the same prize in view. Hence when the triumph was announced, all those who had directed their attention to the subject advanced their claims for distinction. Were we to venture an opinion on this *vxata questio*, we would say, that if the honour were due to the man who first conceived the idea, we would go centuries back to the unknown bard who ascribed the metaphorical language to the lips of the fictitious Cardinal Bembo. If the honour were to be given to the man who first constructed a practical telegraph, then the Baron de Schilling deserves the palm. If again, the distinction belongs to the person who first constructed a telegraph, and proved its feasibility by scientific reasoning and practical experiments, then we must award the prize to Professor Wheatstone. With regard to Professor Morse's claims, we regret we cannot advocate them. At the same time, very great credit is due to the learned professor for the ability and energy displayed in establishing a system of telegraphs over the American continent. Nor must we here omit to bestow a full meed of well earned praise upon Lieut. Cooke, to whose untiring energy and indefatigable zeal, Professor Wheatstone is so much indebted for the establishment of the electro telegraphic system throughout the United Kingdom.

Since the construction of the telegraph in 1837, up to the present time, numerous patents have been taken out for various inventions, nearly all of which are more or less modifications of the plans already enumerated. Some professing to be improvements are not really so, while others display considerable skill and ingenuity. Where there is so much excellence it would be invidious to particularize, and though we are not disposed to go so far as some in the expression of our opinions, we consider that many of the modifications and improvements are well deserving of the eulogies they have called forth.

It will not be altogether out of place here to give a cursory resumé of the principles of the telegraph. The elementary principles which comprise the telegraph are extremely simple and may be recorded thus.

1st. It is necessary to have a circle of conducting matter, whether of metallic wire, moistened pack-thread, or any other conducting substance, before a current of electricity can be generated or transmitted. It is a singular fact that the generation of electricity implies its transmission, as the operations are mutual; one cannot take place without the other.

2nd. A combination of any three elements, viz. of two different metals and one liquid, or two different kinds of liquid and one metal, is absolutely necessary for the development of the elec-

tricity employed as the *primum mobile*, in the electric and electro-magnetic Telegraph. This combination is called a galvanic battery.

3rd. The wonderful property possessed by electricity for transmitting itself through insulated conducting circuits to almost any given distance in an indefinite short period of time.

It will be observed that we have made no mention of the mode of producing electric action in the magneto-electric Telegraph. In this instance no battery is used, the electricity being produced from the magneto-electric machine, but as no such form of telegraph is employed in India, or likely to be, at least for some time, we will confine our observations to the system at present adopted, and the American system, which it is intended to substitute shortly for the one now in use.

Taking the before mentioned three axioms as the fundamental bases for the production of an Electric Telegraph, we will endeavour to give a clear explanation of its construction and manipulation. The system of Telegraphs adopted in this country differs very little in its broad principles from that so extensively adopted in England. The difference is chiefly in the mechanical details, and is said to be productive of results highly advantageous to the Indian system. This however is questionable, and we will discuss the matter further on. The plan of instrument employed here is constructed as follows. Take an oblong ivory or wooden frame, about 2 inches long, $1\frac{1}{2}$ deep and $1\frac{1}{2}$ thick. Through the centre of this frame cut a hollow groove about 1 inch long and $\frac{1}{4}$ inch deep. Around the frame coil some fine silk-covered copper wire, and within the frame place a magnetic needle with a light index of paper pasted across it. Place a couple of horn stops so as to limit the vibrations of the index, and then adjust the above on a small square or oval table about 6 inches high and 9 inches long. Over the coil, &c., put a small square glass case, or a common glass tumbler, to prevent the index being moved about by currents of air. The above, to use Dr. O'Shaughnessy's words, "is in truth the original galvanometer of Oersted, invented in 1819, with a slip of paper appended to indicate its vibrations."* Whenever a current of electricity is passed round the coil of wire in one direction, the magnetic needle with the index is moved simultaneously in the same direction. Whenever the current is made to flow in the opposite or reversed direction, the needle and index also have an instantaneous corresponding motion. The current sent in one direction is called positive electricity, and the current sent in the opposite direction is termed negative electricity. It is by means of these two elec-

* Telegraph Manual, page 103.

tricties, producing two motions of the needle in contrary directions, that the signals are distinguished. In order to facilitate and expedite the reversing of the currents, a Reverser is employed. The Reverser consists of a square box, in the four corners of which hollows are cut, and then filled in with mercury. The hollows are connected across diagonally by pieces of copper wire let into the wood. Over the box is fixed a brass frame-work, so adjusted that when the handle is moved on one side two steel points dip into the mercury cups on one side, and set free a current of, say, positive electricity. On moving the handle in the opposite direction, another set of steel points dip into the other two mercury cups, and set free a contrary current, say of negative electricity. By this instrument the deflections of the needle first on one side and then on the other can be made in rapid succession. The contrivance is the same as that employed many years ago by Magnus, with this exception, that mercury cups are substituted for brass nobs, an alteration which can scarcely be considered an improvement. Our apparatus, however, is not altogether complete. Another little contrivance, called a turn plate, is required in order to bring the Telegraph line at pleasure in contact with the battery, so as to send a message or receive one when desired. The turnplate consists of a small piece of wood, about 3 inches square, containing two small pools of mercury. One of these pools is connected by a wire to the battery, the other is joined to one terminal of the coil of wire, the second terminal of which communicates with the earth or water line. We must not omit to state here, that the battery which supplies the motive power can be made in a variety of ways. The one generally adopted in this country is composed of zinc and copper cylinders, with solutions of sulphate of copper and salt as the exciting agents. When it is required to signal to a very great distance, platinum wire is used instead of the copper, and nitric acid substituted for the sulphate of copper solution. It must also be observed that an alarm clock is often introduced for calling the attention of the signaller at a distant station, but this is generally speaking used only during the night to awaken the slumbering attendant. The whole of the Telegraph apparatus is now complete, and consists of the following five parts, viz., the Needle and coil apparatus, the Reverser, the Turnplate, the Battery and the Alarm.

The *modus operandi* is as follows—if we take one set of the above instruments and place them at one end of a long table, say A, and another set and place them at the opposite end of the table say B, and connect them together by means of wires so as to form a complete circuit for the generation and transmission of the electricity, we will find that on moving the handle of the Reverser at the A end of the table, say to the right, the needle at the B end of

table will be deflected in a corresponding direction. On reversing the motion of the handle at A say to the left, the deflection of the needle at B will also be reversed. If again, the handle at B be moved, the needle at A will be subjected to similar deflections to the right or left, corresponding to the direction in which the handle may be moved. If now, we suppose the instruments at the A end of the table to represent Calcutta, and those at the B end to represent Bombay, with two thousand miles of wire stretching between them, we shall then be able to conceive the adaptation of the principles enumerated and the practical realization of the Telegraph. The transmission of the messages is effected simply by the deflections of the needle to the right or left. From these two opposite motions an alphabet is formed, and although to the untutored eye, the matter appears at sight extremely difficult, the rapidity with which an experienced hand reads off the messages is sometimes astonishing. In many instances the messages have been read off faster than they can be written down. The alphabet, which is totally one of signs, is formed thus :—

A.—One beat to the left.	L.—One beat to the right.
B.—Two ditto.	M.—Two ditto,
C.—Three ditto.	N.—Three ditto.
D.—Four ditto.	O.—Four ditto.
E.—One beat to right one beat to left.	P.— { One beat to left one beat to
F.—One ditto two ditto.	right.
G.—One ditto three ditto.	Q.—One ditto two ditto.
H.—One ditto four ditto.	T.—One ditto three ditto.
I. J.—One right one left one right.	S.—One ditto four ditto.
K.—Two ditto two ditto.	T.—One left one right one left.
W.—One ditto one ditto one ditto.	U. V.—Two ditto two ditto.
X.—Two ditto one ditto.	Y.— { Three to the right one to the
	left.
	Z.—Four ditto one ditto.

As it is the intention of the Government of India to substitute the American system of recording instruments for the inefficient system now in use, our article would be incomplete if we omitted to notice the manipulation of the American plan. The motive power in the two systems is precisely the same, viz. the Galvanic Battery. The great difference exists in the mode of signalling. In the American instrument the messages are written or recorded by marks on paper. It may be thus described. Upon a small wooden frame is fixed an electro-magnet. The silk-covered wire wound round the electro-magnet forms, so to speak, a continuation of the wire in the circuit. The Armature of this electro magnet is attached to a small lever, which carries a pen or steel point at its opposite extremity. Under the steel point is a roll of paper,

set in motion by the aid of wheel work. When a current of electricity is transmitted, the magnet attracts the armature, which causes the pen to press against the paper. If the contact is made and broken rapidly by the finger key, simple points are traced on the paper; if the circuit is closed for a time the pen marks a line proportional in length to the length of time the circuit remains closed. If no current is sent for some time, the paper (which is constantly progressing) exposes a blank surface. By the combination of these points, lines and blank surfaces, an alphabet is formed in a way that the reader can easily understand.

It will be observed that the great advantage of the above plan over the one now in use, consists in substituting for fugitive deflections a permanent recorded sign. There is consequently considerably less liability to error, as the message is recorded at the receiving station in precisely the same manner as it proceeds from the sending station. There can be no chance of the reader at the receiving station reading off the message incorrectly, as is often the case in the needle telegraph, for there he has it before him, written in hieroglyphics it is true, but which can be perused quietly and correctly after the despatch is finished. If the sender makes a mistake, of course the mistake is recorded, but the error is detected with greater facility. Another prominent advantage is, that should the attendant at the receiving station happen to be away or inattentive at the precise moment when a message is required to be sent, his absence or inattention will not prevent the transmission of the message. The sender forwards the message although his colleague is not in attendance, and when his colleague arrives he finds that the despatch is all ready for his perusal. Great causes of interruption and delay are thereby removed, and business progresses with proportionate rapidity. A third advantage is, that the attraction of the armature by the electro-magnet creates an audible sound, and arrests the attention of the recipient when required. A fourth advantage is, that the constant vigilance so essential to the needle telegraph, and that close observation of the needle when the signals are weak (so highly injurious to the eye-sight) is entirely obviated. We might go on enumerating other advantages of the recording over the deflecting telegraph, but enough has been said to convince our readers of the propriety and importance of the changes about to be effected.

Reverting to the works which stand at the head of this article, we observe that the first three are published under the authority of the Government of India, and are from the pen of Sir W. B. O'Shaughnessy. Whoever has studiously perused the writings of that gentleman cannot but be struck with their careless and verbose character. Discussion is presented in its most attrac-

tive form, being clothed in eloquent and plausible language. Errors and contradictions, too, are so cleverly smoothed down, that we smile as we pleasantly canter over a lawn of flowery epithets. To the general reader, who seldom troubles himself to look beneath the surface of things, such a style of writing is captivating; but to those who are in the habit of examining for themselves, and after stripping off the redundant fineries of language, measure everything according to its exact worth, such profusion of diction in matters of business is unpalatable. The latter class of readers shake their heads, amused at the conviction that their author believes in the maxim of Talleyrand, that "words are given us to disguise our thoughts."

To substantiate the above remarks we need only turn to the writings already alluded to. We shall only notice a few points in vindication of our argument. At page 5 of the Records of the Bengal Government, No. 7, it is stated that in the Indian line no wire is used. "Instead of wire I employ a 'thick iron rod $\frac{3}{4}$ inch diameter, weighing one ton to the mile, 'the heaviest wire used elsewhere is 1 cwt. to the mile.'" This statement is incorrect; the wire in ordinary use in England weighs *four* cwt. to the mile. Then again at page 7, paragraph 14, the following comparison is made between the use of sâl posts and bamboos as supports for the telegraph wires. "Thus the comparative cost in 8 years would be as 'shewn in the margin 472 rupees per mile in favor of the bamboo. It should

Bamboos 200 per mile, ...	Rs. 32	be added that the
Renewed say in every 2 years in 8 years ..	" 128	lightness of this
Cost of 200 sâl posts at 3 Rupees	" 600	kind of post, the
Difference in favor of bamboos in one mile ..	" 472	abundance and ubi-

'quity of its supply, the ease with which it is worked, and the 'rapidity with which it is placed, are all practical advantages of 'such real value that I am persuaded that were bamboos avail- 'able in Europe no other supports would be employed."

The above estimate and exposition is unfair and delusive. If 200 bamboos are required to the mile, it does not follow that 200 sâl posts are required for the same distance. Good stout sâl posts, placed 20 to the mile, and procured at a cost of 8 Rupees each, would be amply sufficient. The cost of the sâl posts therefore ought to be on the outside 20×8 or Rs. 160 per mile, and not Rs. 600 as stated. The difference therefore per mile between bamboos and sâl posts would be more correctly Rs. 32 only in favor of the bamboo, instead of Rs. 472 as stated in the document referred to.

In the next paragraph, No. 15, Sir W. B. O'Shaughnessy states that, he still maintains his objections to the European and Ameri-

can over-ground system. It is well known how obstinately the Doctor contended with the late Col. Forbes against the suitability of the over-ground system for India, and yet the over-ground system is the system established throughout the country. Further on, at paragraph 56, when speaking of the characteristics of the instruments applicable to India, we read as follows: "I accordingly tried and dismissed successively the English vertical astatic needle telegraph, the American dotter, and several contrivances of my own invention most skilfully constructed by Mr. Cribble of Calcutta. Every thunder storm put the astatic needles *hors de combat* by deranging the polarity of one or both needles. The American temporary magnets became permanently polarized and ceased to actuate the markers. At length by August 1851, when incessant interruption of this kind had almost driven me to despair, I contrived the little single needle horizontal Telegraph now in use in all our stations, with which we work in all weathers without danger of interruption." So spake Sir W. B. O'Shaughnessy in 1852; in 1855 the worthy Superintendent is again driven by the Public to despair, and proposes to introduce the "American system and instruments of Morse, with some American hands to work them, by which our present line can transact over four times the amount of business it can now perform."* And so the once rejected American instrument is after all to supplant the little horizontal needle telegraph. We might go on, but "*cui bono*?"

The second publication mentioned at the head of this notice is intended as a "manual of instructions" for the subordinate officers of the Telegraph Department. It contains much useful information, but at the same time much that might have been judiciously omitted. More valuable and really practical information might have been condensed into much less space. The dissertation regarding the instruments and plans adopted in various countries is foreign to the subject, useless to the working man, and never perused by him except with a view of being acquainted with the contents of the book. Some of the detailed methods to be followed in the construction of the line are complicated and useless in practice, and never attended to except under the immediate eye of the Superintendent. The mode of insulation adopted is of an inferior description. One would have thought that after examining all the methods used by various countries, freely discussing their advantages and disadvantages, and pointing out their defects, a system of insulation superior to that used in any other country would have been invented for India. Such how-

* Letter to the *Englishman* 24th July 1855. Vide also "First Report on the operations, &c.," paragraph 42, page 10.

ever has not been the case. The mode of insulation is remarkably defective, not simply in the shape of the insulators, but especially in the mechanical arrangements for fixing them. Here is the plan.* A cap of galvanized wrought iron about $8\frac{1}{4}$ inches high and shaped like a common conical zinc mug, is fixed to the top of the post by a cement of rosin and sand. A wooden arm or bracket 11 inches long, $\frac{1}{2}$ broad and 3 deep, is fixed to the top of the cap by a screw bolt $\frac{1}{2}$ inch in diameter. At both ends of the arm insulators are fixed, formed of brown glazed stone ware and in two pieces. The larger piece, shaped something like a cup, is placed on the top of the bracket, and the smaller piece on the underside.† A groove is cut in the larger piece for the wire to rest in, and on fixing the wire, the insulators and wire are held together by a hooked screw bolt passing through the bracket and screwed up to the insulator on the underside. This plan was intended to carry two wires, but from some cause or other the brackets are placed at right angles to the position originally intended, and instead of supporting the two wires one wire is supported by a double set of insulators. No cause for this alteration is assigned; but judging from the number of brackets we have seen ripped off from the iron caps after a storm, we should suppose that the method has not been found strong enough for the purpose originally designed. It must be borne in mind that the system of telegraphs in India was at the outset intended to be a double line. All Sir W. B. O'Shaughnessy's arrangements appear to have been made with that end in view. According to the "manual" three stages were to have been observed in the construction of the line. The first stage comprised the erection of a "flying line" with a single wire, the second stage consisted in "strengthening the flying line," and the third stage in erecting "the permanent double line." In a letter addressed to the ENGLISHMAN on the 24th of July, Sir W. B. O'Shaughnessy, after stating the amount of permanent line erected, goes on to say "but 'be the line as good as human skill can make it, a single line has 'been found inadequate even in fine weather to the occasional 'extra pressure of work which we have already experienced. To 'remedy this we must either erect a second line from Mirzapore 'to Bombay, place a second wire on the present posts (to which 'let me remark, *par parenthese*, there are insuperable practical 'objections,) or introduce the American system, &c." Now, at the

* See Manual of Instructions, pages 35, 36, 37.

† It would have been much better had the position of the two pieces been reversed. Had the larger cup-shaped piece been placed with the wire on the underside of the bracket, the rain would have been thrown off, instead of effecting any lodgement, and the insulation been more perfect. As now placed it presents a cup for catching the rain. The entire principle however is bad.

time of writing the above remarks, nearly the whole of the line between Calcutta and Agra, and Agra and Bombay, had been placed in a substantial and *permanent* position. Where then are the "insuperable practical objections," when from the outset all the arrangements were made for the *permanent* line to be a *double* one. We must confess that the comprehension of these matters is beyond the reach of our moderate capacity.

A portion of the "manual of instructions" is devoted to a notice of the instruments, &c., employed in different countries, and the perusal of these remarks leaves the impression that, in order to suit the peculiarities of this country, a simple and more sensitive form of instrument was necessary, (such as that introduced by Sir W. B. O'Shaughnessy) and that insulation was a matter of secondary consideration. With all due deference to the talented Superintendent, we would venture to differ in our opinion on this subject. The arguments defeat themselves. If insulation is a matter of secondary consideration, where is the necessity of instruments of a more sensitive character? If a cheap and simple form of instrument is so absolutely essential for the successful working of the telegraph in India, where is the utility of introducing the expensive American system? Then again, where is the originality in Sir W. B. O'Shaughnessy's telegraph? Is not the needle and coil apparatus "the original galvanometer of Oersted, invented in 1819, with a slip of paper appended to indicate its vibrations?"* Is not the Reverser a very slight modification of Magnus' Reverser, used with Oersted's galvanometer in the early telegraph experiments, and abandoned for subsequent improvements? Is not the turn-plate the only original invention, if it can be dignified by such a term? In fact, is not the set of apparatus now employed almost precisely the same as that experimented on years ago in Europe and abandoned for its inefficiency? Where again is the boasted superiority in the Indian needle instruments? Is it an advantage to have the apparatus divided into three distinct parts, the manipulation of which divides the attention of the signaller, and keeps both his hands continually employed; when the three parts might be concentrated into one, the attention of the signaller be confined to one instrument, and one hand disengaged for writing down the despatches? Is it an advantage to require two people to do the work of one? Is it an advantage to sit closely watching an horizontal needle, when by employing a vertical needle the signals could be distinguished at a reasonable distance, and the attention of the signaller awakened by the low audible sound created by the beating of a vertical needle against the stops? Is it an advantage to injure the eye-sight

* Telegraph Manual, page 103.

and health by too close application, when such evils can be avoided? Is it an advantage to have the needle so delicately poised that the vibrations and signals become confused together? Is it an advantage to have signals given by a "flutter or vibration"* when they can be more accurately distinguished by a distinct and well defined motion? And finally, is not this "flutter or vibration" the fundamental cause of the majority of the mistakes which occur in telegraphic despatches throughout India.

If one error has struck us more forcibly than another, it is the want of a matured and well-devised plan at the outset, in the construction of the telegraphs throughout India; and we are convinced that had the Government of India in the first instance taken the opinion of persons more experienced in telegraphic matters than Sir W. B. O'Shaughnessy, the East India Company's exchequer would have profited largely. Nothing perhaps brings this so strongly to our minds as the employment of screw piles for the base of telegraph posts. A more absurd application of a really useful invention in its way has never before come under our notice. Screw piles are all very well where required, but they are quite out of place when being employed as a base for wooden supports to telegraph wires. One great objection is, that the post is thinnest and weakest at the place where it ought to be thickest and strongest; as it is necessary to taper off the lower end of the post in order to make it fit properly into the socket of the screw pile. Another serious objection is, that if a stone or other hard substance comes in the way, the head of the pile is thrown out of the perpendicular, and the post of course, when inserted into the socket, assumes a slanting position. We might multiply objections, but we will dismiss the subject by stating a simple fact. Throughout the Punjab, where screw piles have been used, the piles, instead of having been driven into the ground in the ordinary way, have actually been embedded in brickwork.

On perusing the "First Report on the operations of the Electric Telegraph Department in British India" we do not find any reason for modifying our opinions already expressed on the style of the author; on the contrary our convictions are strengthened. The same inconsistencies prevail. At page 8, we observe it stated that in consequence of much confusion prevailing on the Bombay section of the line, a circular was issued advising all habitual correspondents to use the line *as little as possible during the rains.*" Is this the result of the non-insulation theory? Otherwise whence the greater cause for confusion during the rains than during fine weather? At both seasons of the year, the wires, the posts, the batteries, the instruments, the manipulators and the

* Telegraph Manual, page 120.

working regulations are the same. Again at pages 9 and 10, we find a defence of a charge concerning the "wretched instruments and imperfect system" "used on our lines." The defence reads plausibly enough if we canter over the flowery lawn, but stop,—let us quietly examine the matter, and see what constitutes the pith of the argument. We will quote Sir W. B. O'Shaughnessy's own words:—"These (meaning the instruments,) have been certified by the highest authority in England to be capable of conveying 20 words per minute in first-rate hands *on a single line*. See Mr. C. V. Walker and Mr. Evans, Report "Indian Telegraph Manual," pages 130—131. We turn to pages 130 and 131 and read as follows (the italics are ours)—"The experiment was tried in the presence of Dr. O'Shaughnessy, Mr. Statham of the Gutta Percha Company's works, and *A. D. Evans, Telegraph clerk at Dover, who stated he could without difficulty communicate and read at the rate of twenty words per minute by means of instruments of the construction adopted by Dr. O'Shaughnessy.*" Is "a Telegraph clerk at Dover" the highest authority in England? But perhaps Sir W. B. O'Shaughnessy alludes to Mr. C. V. Walker, the able and talented Superintendent of the South Eastern Railway Telegraphs. For the sake of argument we admit it—yet we have carefully read and re-read Mr. C. V. Walker's letter, and we do not find throughout, the *slightest allusion* to the capability of sending twenty words per minute by means of Sir W. B. O'Shaughnessy's instruments. Are we then to take the expressed opinion of a telegraph clerk at Dover, as the highest authority in England?

Sir W. B. O'Shaughnessy then assuming that "the highest authority in England" had stated that signals could be sent at the rate of 20 words per minute on the Indian instruments—proceeds to say at paragraph 38, "The English apparatus for a *double line* has practically only the same power, the average work being $21\frac{1}{4}$ words per minute." Now this mode of reasoning is fallacious. It is not fair to compare the *average* work done on the English lines with the *best* work done on the Indian lines. If justice is to be fairly meted out, then let the comparison on both sides be on equal terms. The actual speed of operation in India is, according to the report, as follows. The best signallers in India, who are equal in rapidity of execution to the best in England, can only read at the rate of 18 words per minute. Many can only read 4 and 5 words per minute. This, says the report, practically reduces our daily power of transmission to a value of about 7 words per minute. Now then mark the comparison. The *best* work done in India is at the rate of 18 words per minute, the *best* work in England is at the rate of $24\frac{1}{4}$ words per minute. The *average* work in India is at the rate of only *seven* words per

minute, while the *average* work in England is at the rate of $21\frac{1}{4}$ words per minute. That is to say the *average* work in England is performed at *three times* the speed of the *average* work in India. Here also observe another anomaly; the telegraph clerk at Dover, says the report, can signal at the rate of 20 words per minute, while the best telegraph clerk in India, who is quite equal to him in despatch, can signal only at the rate of 18 words per minute. But we can prove the fallacy of the arguments in another way. We take the overland bulletins of the 10th of March, 1856, consisting of 562 words, and find upon analysis that the number of the vibrations of the needles necessary for the transmission of the whole despatch is as follows :—

By the Indian single needle telegraph	8083 vibrations.
By Wheatstone's double needle telegraph	4906 vibrations.

Difference, 3177 vibrations.

Hence it appears, that to transmit a message of 562 words, upwards of three thousand (or considerably more than one-third) more vibrations are necessary to be sent on the Indian instrument than on the English one. Consequently, if we consider that the operators in India are only equal in rapidity of execution to those in England, it follows *à fortiori* that it would take much more than one-third longer time to transmit a message by the Indian instrument than it would to send the same message by the English instrument. Having then proved from the report itself, that the *average* work done on the English and Indian instruments is as $21\frac{1}{4}$ to 7 respectively, having also proved that according to the excess in the number of the vibrations, considerably more than one-third an additional amount of time is occupied by the Indian telegraph, we ask where is the force of the arguments adduced in the report under review?

It would be as well here to call attention to the fact that in our remarks we have taken the best work done in England on the double instrument as $24\frac{1}{4}$ words per minute, in order that our arguments may be conducted on Sir W. B. O'Shaughnessy's terms. But this is very far below the actual speed of signalling. We have known in England 25 words per minute sent by good hands, and 30 words per minute by the best. Long despatches have frequently been sent at the rate of 35 words per minute. The Queen's speech of February, 1855, was sent at the rate of $32\frac{1}{4}$ words per minute. We fear, therefore, that were we to argue on our own terms, our case against the Indian needle instrument would be remarkably conclusive.

"A bad workman always complains of his tools" is an old and hackneyed maxim, another proof of which is elicited from the writings before us. We cannot go to such lengths as Sir W. B.

O'Shaughnessy, nor do we agree in the system of wholesale abuse dealt out to subordinates. All this we think injudicious in the extreme. There must be some radical error somewhere. A man must be driven to an extremity when he is obliged to descend to abuse in order to extricate himself from a difficulty. Besides, did not the workman fix his own market value on his tools, and if they turned out bad who but himself is to blame? How can it be expected to purchase a good article at a ruinously low rate? Raise the market value to a paying standard, and you at once get a serviceable article—your worth for your money. The market value we observe *has* been raised, but not in this country. Signallers are being brought over from England on terms which, if offered in this country, would secure young men of the standard required. We almost fear that the experiment of importing signallers from England will prove, like many other experiments, a failure. £120 a year may seem a large sum to a young gentleman in England, but on his arrival in this country he will find his mistake. He will find that £10 a month will scarcely suffice to support him in respectability as a gentleman, surrounded as he will be on all sides by an artificial state of society. He may come out with golden dreams of the future, but when he discovers the real value placed on European labour in India, these dazzling visions (to say the least of it) will prove a delusive mirage.

Moreover the importation of signallers from England is an injustice to the Indian community. Is it just, we ask, to offer low wages in this country, then complain of the inefficiency of the workman, launch out a sweeping condemnation against the entire East Indian community, and try to remedy the evil by importing signallers from Europe at higher rates of wages? Is it just to raise the market value elsewhere, without first trying the effect of raising the market value on the spot? Is it just, and will it be a fair competition, to give the Indian community the disadvantages of low wages and defective instruments, and then compare their merits or demerits with those of European signallers, enjoying the advantages of higher rates of pay, and instruments embracing all the most modern improvements? While pondering over these matters it seems but a natural conclusion that it is fortunate that the Superintendent of Government telegraphs has an elastic exchequer to draw upon; that the East India Company can afford to squander money; and that the Indian Government do not look to deriving any revenue from their lines of telegraph.

Taking the Report in its length and breadth, we must admit that, as regards matter, it is bulky enough; but at the same time it savors very much of book-making. We confess that we have been very much disappointed regarding it. On opening the volume we expected to find an elaborate scientific treatise, replete with sound and useful information. Imagine our disappointment

on discovering but little really useful and readable matter, and much that is valueless. The volume might have been well condensed into one-half its present size, and still have retained all its most serviceable information. The remarks on the qualifications and failing of subordinates had no need to be inserted. It is a breach of faith with society, and had such a publication made its appearance in England, it would have been emphatically denounced with indignation. The Report on the state of the line, such as it is, should have been omitted. Who cares to know that the 5th and 12th posts from "Indore are angles; the wire requires to be placed round the back of the 12th post and bracketted," or that "the 10th post split—13th angle" and so on. Such information is all very well for an inspector's note book, but there is no necessity to foist it on the public. We hope and sincerely trust that when Sir W. B. O'Shaughnessy appears again in print, he will endeavour to vindicate his fame, for we can assure him that his writings hitherto have anything but enhanced his reputation.

We may be considered harsh in our strictures. We may be thought too severe in our remarks on the writings of a man who has been applauded by the entire press of India. But even that press has wavered in its opinion, and we flatter ourselves that our readers will admit that this discussion has been conducted with fairness and moderation. When a man pushes himself before the public, he must expect to be judged by that public, and measured by his worth. We should not therefore be true to society, or true to ourselves, if we glossed over faults from favor or preference. We gladly accord to Sir W. B. O'Shaughnessy all the praise and credit that is his due; we admire his perseverance and enthusiastic zeal; we believe him to be a splendid schemer, but we are certain that he is deficient in judgment, business tact, and cool administrative ability.

The last work we have to notice is a brochure by Mr. C. C. Adley, the Superintendent of Telegraphs on the East Indian Railway. The subject on which it expatiates is exciting great attention at the present moment. It refers to the establishment of telegraphic communication between England and India. The subject appears to have been dwelling on the author's mind for some time, for we have lying on our table a letter addressed by the same gentleman six years ago to the late Sir Archibald Galloway, then Chairman of the East India Company. This letter not only advocates telegraphic communication between England and India, but also points out the advantages to be obtained by establishing a system of telegraphs throughout India. To Mr. Adley undoubtedly belongs the credit of having originated the idea of telegraphic communication between England and India, which is now being carried out. Even the route suggested by him as the best has been adopted. But to return to the

brochure, we must observe that the question is well opened out, and in a few pages the author "has condensed most of the facts necessary to a comprehension of the scheme." It would seem that the project is not so formidable as it appears at first sight. On the Indian side we have telegraphic communication complete between Calcutta and Bombay, and the line will shortly be connected with Bombay by a line through Mooltan to Kurrachee. On the European side telegraphic communication is complete between Varna and London, and will shortly be completed as far as Constantinople, if it is not so already. There will therefore only exist a break between Kurrachee and Constantinople, of about 3,000 miles, being 1,000 miles less than the amount of telegraph constructed throughout India within two years. The only difficulties that present themselves are political ones, and these are in a fair way of being overcome. A company has already been formed for connecting the European telegraphic system with Bassora at the head of the Persian Gulf, and the East India Government have pledged themselves to connect Kurrachee with Bassora as soon as the former work is accomplished. Everything therefore is combining to press forward the great work. Before three years are over, Calcutta may be exchanging messages with London in six hours; the poet's dream will pale before the scientific reality, and lifting our hands in astonishment we may exclaim—"Verily we live in stirring and marvellous times."

There is one point, however, which we must not omit to notice; and that is, that when telegraphic communication is complete between London and Calcutta the difference in the longitude will create some confusion. When it is six o'clock in the morning in Calcutta it will be midnight in London. When our friends at home are in profound sleep, we shall be just thinking of rising. If we allow a message three hours to travel to London, and suppose a message leaves Calcutta at 6 o'clock A. M., it will arrive in London at 3 o'clock A. M., or three hours before it left Calcutta! A system of uniformity of time with regard to the telegraph will therefore have to be established, or we shall have to make an allowance of six hours in all our calculations. Double sets of signallers will of course have to be established along the line, in order that the work may be kept up without cessation day and night. But be that as it may, let us all, as far as we are able, contribute our mite to the accomplishment of this great end. When, ere many years are over we are borne along the Euphrates-valley Railway to England in twenty days, or along the "World's highway" in ten, while our thoughts are flashed along the telegraph wires in as many minutes, we shall begin to feel ourselves so close at home that we shall cease to consider our separation from our mother country as "an honourable exile."

ART. III.—1. *The Indian Penal Code.*

2. *Speech of the Hon'ble Mr. Peacock in the Legislative Council, 24th January, 1857, on introducing the Criminal Procedure Bills.*

IT is now as nearly as possible twenty years since the first draft of a Penal Code for India,—that which is commonly called the Macaulay Code,—was presented to the Governor General in Council by the Commissioners who had prepared it. From that time to this, the subject, although it has slumbered, has never been allowed to drop entirely. No active measures have been taken regarding it, but the original draft has been receiving a series of amendments, additions and alterations, at the hands of successive Law Makers: and it has, moreover, from time to time come a good deal under public discussion.

There can be no doubt that good Codes of Criminal Law and Procedure, are much needed for India, and that the Government which provides them will confer on the country a very great boon, and one which will be appreciated by all classes. The existing state of the law is most unsatisfactory. The evil of it has been long felt, and of late years has rather increased than diminished. It varies with the color of the Criminal, or depends upon the nation he belongs to, or the district in which he resides. It is founded on no distinct principles recognized throughout, but is full of inconsistencies. It is in a great degree uncertain and undefined, wholly unknown to any except those whose profession or calling has compelled them to make a study of it, and very slightly known to them. Indeed it is not capable of being made known thoroughly to any one, for it is not reduced to any positive form, but is contained only in a mass of crude and indigestible Regulations and Acts, English law books, Hindu and Mahomedan law books, and the heads of certain wise men called the Mahomedan law officers of the Courts. In such a state of the law, it is not to be wondered at if in the attempts made by the Courts to administer it, we can find nothing but uncertainty, confusion, and error. Considering the quantity and heterogeneous nature of the work which they have to get through, this would probably be the case, even were they presided over by men whose education qualified them to deal with so difficult a subject,—but it is absolutely impossible that it should be otherwise when they are presided over by those whose education does not qualify them for such a task, and by whom what may be called the strictly *legal* part of a case is always treated as of little or no importance. We believe, though there are those who say they differ from us in this, that the members of the community

here, as elsewhere, possess within them that silent legal instructor, Conscience, who generally, in the case of the commission of the grosser crimes, teaches the offender that he has done wrong, and gives him about as much information on the subject as there is practically much necessity for! But except as to such portion of it as is taught them by their consciences, the criminal law is at present unknown to, and not to be learnt by, the mass.

We view then with the utmost satisfaction the introduction of the Bill which we have selected as the subject of this article,—provided always, that it is sufficient and statesmanlike in its provisions. We trust, that having once been actually brought forward in the Legislative Council, it will not on any account be allowed to drop, but be actually taken in hand and passed into law without delay, with the necessary alterations and modifications. The measure now introduced has been long promised: so long indeed that we had almost begun to despair of its ever seeing the light of day. It is moreover said, and with some justice, to have cost an enormous sum of money. But if, as the result of all these years of waiting, and all that expenditure, the country is at last put in possession of a Code which in practice is found to be really good, it will have great reason to congratulate itself, and to consider, that it has neither waited so long, nor expended so much money, in vain. A good Code of the Criminal law is a work of great value. It is also a work of great difficulty, and which cannot be perfected without both time and numbers; for when the object is to compose with the utmost possible accuracy a text which shall contain certain ideas, and exclude all others, that object cannot be attained surely, except by the united operation of various minds and various tempers, some of which may be struck by errors and omissions not perceived by others.

The “Indian Penal Code” was read in the Legislative Council for the first time on the 20th of December last, and has been referred to a Select Committee who will report upon it soon. While their report is in preparation, it may not be without benefit briefly to discuss the subject of the proposed enactment. The more discussion such a measure meets with before it is actually passed, the more likely it is to be complete, and to answer the purposes for which it is intended: and the discussion of it can hardly fail to be of the deepest interest to all classes, as it affects the personal rights and liberties of all.

The Penal Code, as it now stands, possesses in our opinion a great amount of excellence. For the most part it has well drawn the line between what is, and what is not, to be considered criminal,—defined offences, and distinguished them from each other,—and awarded punishments which are proper and duly proportioned to the offences to which they are attached. *For*

the most part, we say; for along with a great deal that is very good, it contains much that is bad both in principle and in detail, and that greatly requires either to be altered or struck out. Strange as it may seem, much of what we object to most, is not to be found in the original Macaulay Code, but has been introduced in the course of its passage through the various hands which have during the last twenty years been allowed to work upon it.

The heads or chapters into which it is divided are twenty-three in number. Chapter 1. Introductory. 2. General Explanations. 3. Punishments. 4. General Exceptions. 5. Principals and Abettors. 6. Offences against the State. 7. Offences relating to the Army and Navy. 8. Offences against the public Tranquillity. 9. Offences by or relating to Public Servants. 10. Contempts of the lawful authority of Public Servants. 11. Offences against Public Justice. 12. Offences relating to Coin and Stamps. 13. Offences relating to Weights and Measures. 14. Offences affecting Public Health, Morals, &c. 15. Offences relating to Religion. 16. Offences affecting the Human Body. 17. Offences against Property. 18. Offences relating to Documents and Trade marks. 19. Criminal Breach of Contracts of Service. 20. Offences relating to Marriage. 21. Of Defamation. 22. Of Criminal Intimidation. 23. Of Attempts to commit Offences.

This classification varies somewhat from that of the original Macaulay Code, the Heads of which are 26 in number, and as follows:—1. General Explanations. 2. Of Punishments. 3. General Exceptions. 4. Abetment. 5. Of offences against the state. 6. Of offences relating to the Army and Navy. 7. Of offences against the public Tranquillity. 8. *Of the abuse of the powers of Public Servants.* 9. Of contempts of the Lawful authority of Public Servants. 10. Of offences against Public Justice. 11. *Of offences relating to the Revenue.* 12. Of offences relating to Coin. 13. Of offences relating to Weights and Measures. 14. Of offences affecting the Public Health, Safety and Convenience. 15. Of offences relating to Religion and Caste. 16. *Of Illegal Entrance into, and Residence in the Territories of the East India Company.* 17. *Of offences relating to the Press.* 18. Of offences affecting the Human Body. 19. Of offences against Property. 20. Of offences relating to Documents. 21. Of offences relating to Property-marks. 22. *Of the Illegal Pursuit of Legal Rights.* 23. Of the Criminal Breach of Contracts of Service. 24. Of offences relating to Marriage. 25. Of Defamation. 26. Of Criminal Intimidation, Insult and Annoyance.

Of these heads the 8th and 9th have in the present Code been incorporated and made into one, as also have the 20th and 21st; and four, namely, the 11th, the 16th, the 17th and the 22nd,

have been wholly omitted. To the division as it now stands we take no objection : it seems as good as any that can be made. The first five Chapters, and also the last, are as it were introductory or supplemental to the others, and must be taken as incorporated in them. The remaining seventeen define and describe the various offences in detail, and assign their punishments.

The general subdivisions of the Chapters are also good. Thus, in the chapter on offences affecting the Human Body, we have offences affecting Life,—causing Miscarriage,—Hurt,—Wrongful restraint,—Criminal force or assault,—Kidnapping,—Rape,—and Unnatural offences :—in the Chapter of offences against Property, Theft—Extortion—Robbery and Dacoity,—Criminal Breach of Trust,—Receiving stolen goods,—Cheating,—Fraudulent disposition of property,—Mischief,—and Criminal Trespass (which last head includes what are known to English law as House-breaking and Burglary.)

The Act commences by declaring that it shall be called “The Indian Penal Code.” But it is in fact a mistake to give it any such name. The idea of a Code embraces more than will be found in this Act. In common parlance, a “code” is taken to mean a full and complete Collection of all the law upon a subject, so to speak *self contained*, and beyond which it is unnecessary to look for information. The “Indian Penal Code,” however, does not profess to be a collection of such a nature. It does not profess to declare all the penalties to which the members of the community are liable, or to be complete without reference to other Acts. The revenue laws will still, for instance, have a separate existence ;—and the very first chapter of the “Code” refers to other enactments which are to remain in force and have a bearing upon it. It must not be supposed that the Code, although it is a collection and digest of by far the greater part of the penal law, is a collection and digest of the whole of it.

It is difficult to assign any very potent reason why this should be, and we should have been glad to have seen a measure brought forward which would have embraced the whole subject of penalties, and rendered it unnecessary to refer to any Act of the Legislature of earlier date. We are inclined to concur with the framers of the Macaulay Code in their endeavour to make their measure as comprehensive as possible. Piecemeal legislation is, however, the order of the day everywhere at present ; so probably we must make up our minds to submission on this point,—which, if necessary, we shall do with the more resignation, because there are reasons, though we do not consider them at all conclusive ones, for not giving the Code a wider scope than it has.

Under the new Code, many things will be very different from what they are now.

Its provisions will affect very materially, and in rather a novel manner, a no less important class of persons than the servants of the East India Company, amongst others :—

In the very first chapter, it is declared that every servant of the Company shall be liable to punishment, under the Code, for every act or omission contrary to its provision, of which he shall be guilty within the dominions of any Prince or State in alliance with the Company. This is an excellent law, and will operate as an increased check upon the excesses too often committed with impunity by travellers and others, when they go beyond the pale of the Company's jurisdiction. In such cases the local authorities are practically powerless, and the greater the facilities of punishing offenders on their return, the better.

Again, we find that under the Code, public officers will be criminally liable for acts not done by them in good faith, although done by them in execution of their duty, if the acts are such as would amount to offences if done by private persons. And the practical and sensible definition of the term *good faith*, which is given in the chapter of General Explanations, at once puts an end to the absurd notion so often put forward, that any thing done without a positively malicious intent is done in good faith, whoever may be the doer, or whatsoever the act done. This is the definition :—

45. Nothing is said to be done or believed in good faith, which is done or believed without due care and attention.

Bearing in mind therefore that nothing is done or believed in good faith, that is done or believed without due care and attention, let us consider the following clauses of the Fourth chapter :—

2. Nothing is an offence which is done by a Judge when acting judicially in the exercise of any power which is, or, which in good faith he believes to be, given to him by law.

6. Nothing which is done in pursuance of, or, which is warranted by the judgment or order of a Court of Justice, if done whilst such judgment or order remains in force, is an offence, notwithstanding the Court may have had no jurisdiction to pass such judgment or order, provided the person doing the act, in good faith, believes that the Court had such jurisdiction.

The effect of these provisions is, that Judicial officers of every grade, are made responsible to the Criminal Courts for acts done by them judicially, and as they believe in the exercise of powers vested in them by law, if they do not in fact possess such powers and have not used *due care and attention* in arriving at the belief which they have in their minds : and that no officer who executes a

warrant of a Court acting in excess of its jurisdiction, will be protected by his having merely acted as such officer and in obedience to his warrant, without any intention of doing harm, unless he, having used *due care and attention*, believed the Court had power to issue the warrant. It may perhaps be right, that superior officers should be made responsible as proposed, but it certainly is not right that the merely executive officers should be so. To subject them to such liability would render it necessary for them to sit in judgment upon those above them, and would justify them in refusing to move, because in their opinion the Court whose warrant they were called on to execute, had no power to issue it. It may be said that an officer of the lower class, who has executed a writ properly, has done his duty and acted in good faith. But it appears to us that the special words of clause 6, demand of him due care and attention on the particular matter of jurisdiction.

A case which actually occurred not long ago well illustrates how these clauses will operate. Under a special law, the judgments of the Calcutta Small Cause Court may be executed by the Zilla Judge of a district within which the defendant may be residing, *in the same manner as decrees of the Zilla Judge's own Court*. A obtained judgment against B in the Small Cause Court. A afterwards found B residing in the Mofussil, say some 300 miles from Calcutta. The place was rather out of the way, and the Court of the Zillah Judge was far off. In the neighbourhood, however, there was a Magistrate or Deputy Magistrate, and to his Court A had recourse. The Magistrate, who it will be observed, had no more right to meddle in the matter than we have, took upon himself to execute the judgment. He had the defendant arrested, and not content with that, started off the unfortunate wretch for Calcutta in charge of one of his Peons, whose orders were, to deliver up the body of the culprit at the Small Cause Court,—where he was in fact duly delivered up, after a journey of ever so many weeks !

Here the whole proceedings were grossly irregular. It would be impossible for the Magistrate to contend for a moment that he acted in the exercise of any power he had, or of any power which, after using *due care and attention*, he believed he had. Equally impossible would it be for the Peon to say, that if he had used due care and attention, or had ever inquired at all, he would have believed that the Court whose warrant he was executing had any jurisdiction in the matter. Both the public servants concerned would thus under the Code be criminally liable. It is perhaps not unreasonable that the Magistrate should be punishable criminally ; for such carelessness is quit unpardonable. But the Peon ought not to be so. Persons of his class have never yet been

expected to look beyond the warrants they hold in their hands : the business of the Courts they serve never could be carried on, if they were.

The following clauses of the chapter on offences against Public Justice, we commend to the special notice of all judicial officers, whatever may be the particular nature of their duties :—

“ 27. Whoever, being a public servant, makes or pronounces in any stage of a judicial proceeding, any report, order, verdict, or decision, which he knows to be contrary to law, shall be punished with imprisonment of either description, for a term which may extend to seven years, or with fine, or with both.

“ 28. Whoever, being in any office which gives him legal authority to commit persons for trial or to confinement, or to keep persons in confinement, commits any person for trial or to confinement, or keeps any person in confinement in the exercise of that authority, knowing that in so doing he is acting contrary to law, shall be punished with imprisonment of either description, for a term which may extend to seven years, or with fine, or with both.”

With every desire to see a reasonable amount of responsibility laid upon Public Officers, we cannot help thinking these provisions go a little too far. It is to be remarked, that in order to constitute an offence, it is not necessary that there should be on the part of the officer any malice, or any wish to injure any body,—the *mere knowledge* that he is acting contrary to strict law is of itself enough. The policy of such a rule as this, is very questionable : for it is absolutely necessary in this country for every public servant frequently to do small acts which he knows are contrary to law, but without doing which, he knows that he must fail in attaining objects which may be of the greatest public importance. Public Servants are sufficiently liable to the consequences of anything done by them improperly, without these clauses. They are not required for the protection of the subject, and tend rather to fetter too much the hands of those to whom the administration and execution of the law are entrusted. Of this we are well assured,—that if these clauses stand, and should a retrospective effect be given to them, there is not a single Judicial Officer, high or low, Covenanted or Uncovenanted, who might not be at once convicted and punished under them. It is a mistake to give too great facilities for making *criminal* charges against Public Servants : nothing should be considered as a *crime* in them, which does not shew grave moral blame. Proceedings taken in the Civil Courts, when those Courts do their duty, sufficiently punish offending public officers as a general rule, and injure their reputation quite enough. A criminal charge, even if it eventually fails, is sure to injure the reputation of the officer against whom it is made, in such a

degree as to injure his future usefulness. Heretofore it has been practically impossible in most cases, to make public officers answerable, even *civilly*, for the grossest abuse of their powers. Now it is proposed to run into the opposite extreme, and to render them punishable criminally, even for acts which they can scarcely help doing.

Lest Judges and Magistrates should think the Code too hard upon them, and to shew them that there is a kindly anxiety on the part of the Legislature to spare them as much trouble as possible, we must now refer to clause 18 of the Third chapter :—

“18. In all cases in which judgment is given that a person is guilty of one of several offences specified in the judgment, but that it is doubtful of which of these offences he is guilty, the offender shall be punished for the offence for which the lowest punishment is provided, if the same punishment is not provided for all”—

—than which, it is impossible to conceive a more delightful rule for a lazy man, as it contemplates and provides for the case of officers not choosing to be at the trouble to go fully into causes which come before them, but resting content merely with the conviction that the offender has done *something* wrong.

We have always believed that a man could not legally be punished, unless he has committed an offence, and that if he has committed an offence he must receive the punishment suitable to the offence committed, and no other. We have also been accustomed to consider a man to be entitled to go free, unless some distinct offence is proved against him : and that when certain facts are proved against a man, it is the business of the Courts to say whether those facts amount to an offence, and if any, to what offence.

But here we find a provision which has apparently been inserted, for the purpose of discharging Criminal Judges from the performance of one of the most important of all their duties ! If a man is charged with several offences, the Judge is not henceforth to be bound to say whether he is guilty or not guilty of all or any of them, and deal with him accordingly,—he may say he is guilty of some of them, *though of which he cannot tell*, and may give him the punishment which attaches to the least of the offences charged. Such a proposition is quite wrong. The very first principles of reasoning teach us, that before a man can be punished for having committed an offence, he must have committed that offence : if then, the Court can take upon itself to punish a man as having committed *an* offence, why should it not find as a fact that he has committed *that* offence ? If there is not evidence to warrant its taking the latter step, there cannot be evidence to warrant its punishing him.

There is already quite enough uncertainty and inefficiency in the findings and verdicts of the Courts, and we cannot afford to have more.

A somewhat similar provision is to be found in the Macaulay Code;* but its terms are less objectionable (though even of them we do not approve,) than are those of the clause as it is now formed: "In all cases in which judgment is given in the manner prescribed in the law of procedure, that a person is guilty of an offence, but that it is doubtful under which of certain penal provisions of the Code he is punishable, &c." The Commissioners were aware of the novelty of the law they proposed to introduce, and accordingly, we find them in the notes submitted by them along with the Code to the Governor General in Council, explaining the reasons upon which they had acted, and the end they had in view. They write thus† "This provision is introduced, to prevent an offender whose guilt is fully established, from eluding punishment, on the ground that the evidence does not enable the tribunals to pronounce with certainty under what penal provision his case falls.

"Where the doubt is merely between an aggravated and mitigated form of the same offence, the difficulty will not be great. In such cases the offender ought always to be convicted of the minor offence. But the doubt may be between two offences, neither of which is a mitigated form of the other. The doubt, for example, may lie between murder and the aiding of murder. It may be certain, for example, that either A or B murdered Z, and that whichever was the murderer was aided by the other in the commission of the murder; but which committed the murder, and which aided the commission, it may be impossible to ascertain. To suffer both to go unpunished, though it is certain that both are guilty of capital crimes, merely because it is doubtful under what clause each of them is punishable, would be most unreasonable. It appears to us that a conviction in the alternative has this recommendation, that it is altogether free from fiction, that it is exactly consonant to the truth of the facts. If the Court find both A and B guilty of murder, or of aiding murder, the Court affirms that which is not literally true; and on all occasions, but especially in judicial proceedings, there is a strong presumption in favor of literal truth. If the Court finds that A has either murdered Z or aided B to murder Z, and that B has either murdered Z or aided A to murder Z, the Court finds that which is the literal truth; nor will there, under the rule which we have laid

* CL. 61.

† Note A, Penal Code, printed by order of the House of Commons, 3rd Aug. 1838, p. 79.

' down, be the smallest difficulty in prescribing the punishment.

"It is chiefly in cases where property has been fraudulently appropriated, that the necessity for such a provision as that which we are considering, will be felt. It will often be certain that there has been a fraudulent appropriation of property; and the only doubt will be, whether this fraudulent appropriation was a theft or a criminal breach of trust. To allow the offender to escape unpunished on account of such a doubt would be absurd. To subject him to the punishment of theft, which is the higher of the two crimes, between which the doubt lies, would be grossly unjust. The punishment to which he ought to be liable is evidently that of criminal breach of trust; but that a Court should convict an offender of a criminal breach of trust, when the opinion of the Court perhaps is, that it is an even chance, or more than an even chance, that no trust was ever reposed in him, seems to us an objectionable mode of proceeding. We will not, in this stage of our labours, venture to lay it down as an unbending rule, that the tribunals ought never to employ phrases which, though literally false, are conventionally true. Yet we are fully satisfied that the presumption is always strongly in favour of that form of expression which accurately sets forth the real state of the facts. In the case which we have supposed, the real state of the fact is, that the offender has certainly committed either theft or criminal breach of trust, and that the Court does not know which. This ought, therefore, in our opinion, to be the form of the judgment."

Where the only question is between an aggravated and a mitigated form of the same offence, no great harm can come of the proposed enactment: but when it extends beyond that question, it becomes in our opinion highly objectionable. It is much to be regretted that justice should ever be defeated merely for want of evidence, when no real doubt exists that an offence has been committed. Still the rights of individuals require that they should be convicted of some distinct offence before they are punished; that when once put upon their trial their case should be disposed of, one way or other: and that when they are punished for the offence which the Court finds proved, they should be acquitted as to those which are not proved. The Scotch verdict of "Not proven" might perhaps be introduced with advantage: it is we believe often found to be useful. But so long as no such verdict is known here, the old rule seems to be by far the most just and equitable one; namely, that every man is entitled either to be found guilty, or to be acquitted, of every charge made against him, and for which he is put upon his trial.

To the first clause of chapter IX. we take exception,—more because it requires some qualification, than on account of any thing wrong in the principle it contains. It treats of bribery among public servants, and declares every body to be liable to punishment, who “being, or *expecting to be*, a public servant,” accepts or agrees to accept, for himself or for any other person, “any gratification whatever,” as a motive “for doing, or forbearing to do, any official act.” Now, this clause, so far as it applies to persons expecting to become public servants, should be at any rate so confined as to be applicable only to persons who *are* public servants, and who, while expecting to become so, accepted a gratification. The clause is altogether too wide, and will embrace all sorts of little arrangements, for mutual convenience, which are often made and very harmlessly so. Much discussion also might arise, as to the words “expecting to be” and their effect.

The subject of bribery and corruption in Public offices is, from the nature of it, one which requires to be dealt with in a comprehensive manner. That the Code deals with it comprehensively enough, will be seen from the following illustrations, which are annexed to clause 5 of chap. IX. :—

(b) “A, a Judge, buys of Z. who has a cause pending in A’s Court, Government Promissory Notes at a discount, when they are selling in the market at a premium. A has obtained a valuable thing from Z without adequate consideration.

(c) “Z’s brother is apprehended and taken before A, a magistrate, on a charge of perjury. A sells to Z shares in a bank at a premium, when they are selling in the market at a discount. Z pays A for the shares accordingly. The money so obtained by A, is a valuable thing obtained by him without adequate consideration.”

— from which it appears that a man may be convicted of taking a bribe, although he never had the remotest intention of taking one, and did not know he had taken one, and is in fact the most honest and upright man in all India. It seems to us that these illustrations, in order to be good laws, should shew on the face of them, that both the Judge and the Magistrate knew they were buying below the market rates of the day.

Every possible provision seems to be made for preventing and punishing riots and affrays, and for putting an end to the present prevalent custom of making use of the services of latteals and such people. An “unlawful assembly” is * defined to be “an assembly of five or more persons, if the common object of the persons composing that assembly, is—

First. To overawe the Legislative or Executive Government of India, or the Government of any presidency, or any Lieutenant Go-

* Chapter VIII., Cl. 1.

vernor, or any Public Servant in the exercise of the lawful power of such Public Servant ; or

Second. To resist the execution of any law, or of any legal process ; or

Third. To commit any mischief or criminal trespass, or other offence ; or

Fourth. By means of force or shew of force to any person, to take or obtain possession of any property, or to deprive any person of the enjoyment of a right of way, or of the use of water or other in corporeal right of which he is in possession or enjoyment, or to enforce any right or supposed right ; or

Fifth. By means of force or resistance, or shew of force, to compel any person to do what he is not legally bound to do, or to omit to do what he is legally entitled to do.

And if force or violence is used by an unlawful assembly, it becomes a "riot." *

An "affray" is thus defined :—

18. When two or more persons, by quarrelling or fighting or otherwise conducting themselves in a tumultuous manner in a public place, disturb the public peace, they are said to "commit an affray."

It is declared that an assembly, not unlawful when assembled, may become so afterwards, and that the mere fact of being a member of an unlawful assembly renders a person liable to six months' imprisonment, and fine unlimited in amount. Joining unlawful assemblies armed with deadly weapons, and not dispersing when ordered to do so, are dealt with : and then we have a clause † which will have the effect of rendering every individual engaged in an unlawful assembly liable to be tried and punished for the crime of murder in the event of any one meeting with his death by violence from the hand of any member of the unlawful assembly, under such circumstances as to amount to murder in the individual whose act was the immediate cause of death.

The owners or occupiers of land on which a riot or unlawful assembly takes place are‡ liable to punishment if they do not at once give information to the police, and attempt to prevent the commission of any offence ; and those for whom the disturbance was got up, and those who receive any benefit from it, are offenders, unless they can prove that they did all they could, by giving information and otherwise, to stop the riot or assembly.

The concluding clauses of the chapter make it penal to be a latteal, or to entertain the services of a latteal, or of any body who will supply armed men when required.

* Chapter VIII., Cl. 6.

† Cl. 10.

‡ Cl. 14, 15.

Throughout this whole chapter of offences against the Public Tranquillity, matters are carried with a high and determined hand. And it is necessary that they should be so, for the number of unlawful assemblies, "riots" and "affrays" that are occurring constantly throughout the country, is very great. People in the Mofussil are often in a delicate and dangerous position, from the weakness of the arm of the law, the scarcity of Magistrates and Judges, and the corruption and cowardice of the Police in all its grades; and those who have recourse to riots and affrays have often much that is of weight to say in their defence. But for all that, it is impossible for any Government to recognise the right of looking after their own interests, after their own fashion, which is daily asserted by individuals. Public policy demands that such breaches of the peace should be put down, at whatever price, and it is right that they should be severely dealt with. If they are so dealt with, however, the duty of the Government to make proper arrangements for keeping the peace becomes more imperative than ever; and that such arrangements have yet been effectually made, no one will venture to assert.

The right of self-defence, and the circumstances under which it may be exercised, and the extent to which it may be carried, are fully defined in the last eleven clauses of the chapter of General Exceptions.

In many parts of the Code, it will be found that the malicious or fraudulent intent, which ought to be an ingredient in the act or omission, in order to constitute an offence, is wholly lost sight of. Thus in the chapter on offences relating to Coin, in clauses eleven and twelve, the mere delivery to any person of coin known by the giver to be counterfeit, is an offence punishable with imprisonment for three or five years, as the case may be, and with or without fine. So by clauses fourteen and fifteen, whoever *is in possession* of counterfeit coin, having known at the time he became possessed of it that it was counterfeit, is liable to punishment. There can be no question that these provisions are too stringent; the possession or delivery contemplated is no offence morally, and ought to be none according to law. Unless there is an intent to defraud,—an intent to utter and put off, is what is required by the English law,—the mere possession, or delivery should not be made a crime of. That these clauses, if allowed to remain, might work great hardship and injustice, will be seen from the following case. A, B and C are shopkeepers in the same neighbourhood, each having a separate shop. A receives from a customer three bad rupees, not knowing at the time he takes them, that they are counterfeit. B afterwards calls upon A, and thinking the rupees wonderfully good imitations, carries

off two of them, to keep with some bad money he has, which he has collected during the course of many years of trade. C being in B's shop in the course of the day, sees the pieces, and carries off one of them, to compare with some suspicious looking rupees he has himself just received. Having compared them he allows the counterfeit coins to remain lying in his chest. Here B commits the offence provided for by clauses 11 and 12, and C the offence under clauses 14 and 15, and yet neither the one nor the other of them intended to do any thing wrong, or did anything that could injure any body.

So in the provisions against wearing the dress of a soldier or public servant.*

"Whoever, not being a soldier in the Military or Naval service of the Queen, or of the East India Company, wears any garb or carries any token resembling any garb or token used by such a soldier, with the intention that it may be believed that he is such a soldier, shall be punished with imprisonment of either description for a term which may extend to three months, or fine which may extend to five hundred Rupees, or both.†

"Whoever, not belonging to a certain class of public servants, wears any garb or carries any token resembling any garb or token used by that class of public servants, with the intention that it may be believed, or with the knowledge that it is likely to be believed, that he belongs to that class of public servants, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred Rupees, or both."

These clauses seem to go unnecessarily far in making a crime of an act which may be done with the most perfectly harmless object, and without in fact doing any sort of harm. We have known an industrious bheestie go about for six months gaily clad in the cast-off garments of a soldier. If he, being of a humorous turn of mind, were once and away for a joke to pass himself off upon some of his water-carrying brethren as a soldier by reason of the dress he wore, he would according to the former of the two clauses be liable to three months' imprisonment and Rs. 500 fine! Such a law would of course be perfectly proper, if qualified by making *an improper intent* necessary in order to constitute the crime.

Another clause of chapter 7 is open to the same objection, though in a less degree.‡

"The Master or person in charge of a Merchant Vessel on Board

* Chapter VII., Clause 19.

† Chapter IX., Clause 12.

‡ Chapter IX., Clause 5.

of which any Deserter from the Army or Navy of the Queen, or of the East India Company, is concealed, shall, though ignorant of such concealment, be liable to a penalty not exceeding five hundred Rupees, if he might have known of such concealment, but for some neglect of his duty as such Master or person in charge, or but for some want of discipline on board of the vessel."

Ship captains must mind what they are about if this clause becomes law. It in fact makes them punishable for mere want of discipline in their ships, for it is just when there is a want of discipline, that such a concealment as is contemplated may take place, while the master is *bonâ fide* perfectly ignorant of it. The clause goes too far; but if the latter part of it was struck out, so as to restrict the master's liability to *neglect of duty*, it would be fair enough, and probably quite sufficient practically.

The improper omission of evil intent, is to be found again in the 14th clause of the chapter of offences against Public Justice. That clause renders any person liable to imprisonment for two years with or without fine, who destroys any document which he may be lawfully compelled to produce as evidence, *after he shall have been lawfully summoned or required to produce the same*, without saying anything as to the destruction in question being fraudulent or malicious, or its tending to cause, or having caused injury to any person. Now a man may be, and in this country often is, required to produce papers which have no bearing whatever on the case in which their production is demanded: without intending, or doing, anything to obstruct the course of justice, he may have good reasons for not producing these papers; and he may choose rather to destroy them than produce them. If he does destroy them, we do not see why what he does should be made a crime; it would be otherwise were the destruction proved to be wrongful or malicious. We say nothing of the accidental destruction of papers after notice to produce; such a thing might happen, and it ought not to be considered *criminal* if it is in reality accidental, and no harm came of it. It should not be forgotten that in India, although there is a great deal of concealing and keeping back of evidence, there is also a great deal of most unjust and oppressive annoyance given intentionally, by forcing people to attend the Courts and to produce papers, when in the end it turns out, that neither the individuals nor their papers, throw any light on the subject in dispute.

As the destruction of papers is made criminal, so is the *mere omission to produce** to a public servant, any document which one is *legally bound to produce*. And this brings us to the chapter on contempts of the lawful authority of public servants,—a con-

* Chapter X., Clause 5.

siderable part of which is founded on a wrong principle, and is very objectionable. The error is, that the ordinary powers and jurisdiction of the Courts are interfered with, and actual crimes and mere contempts (which have always hitherto been looked upon as distinct,) are mixed up together. The provisions in question, moreover, limit the powers of the Court in certain respects, to an undesirable degree. The power of indefinite imprisonment, for instance, which the Queen's Courts of Equity possess, is much more efficacious in compelling obedience than are these new enactments. It might be well worth while for a dishonest man to go to jail for six months, if he could so escape the production of a document which, if produced, would deprive him of a valuable property; but the prospect of unlimited incarceration would probably operate very differently on his productive powers. A system which leaves it to the Courts themselves to punish such offences as they see fit, no doubt requires efficient Courts to deal with it: but the legislature can hardly legislate on the footing of the inefficiency of the existing tribunals.

It is made a punishable offence to abscond in order to avoid service of summons, or other process,—to prevent service of summons or other process either on ourself or any body else,—or not to attend in obedience to the order of a public servant.*

It is almost needless to stop to shew how unjustly and oppressively these provisions may operate: we shall put but one case, and that, one which is by no means unlikely to occur.

A being in Calcutta, is sued by his kitmutgar for 10 Rs. The plaintiff chooses to subpoena A to attend and give evidence (which of course he has a right to do). A having other things to think of, does not attend, either to resist the claim, or to answer his subpoena, but allows judgment to go against him by default. Soon after this, he goes up-country, and at the first station he settles down in, he falls in with the kitmutgar. The latter (who has recovered all that he was entitled to under his judgment,) brings a criminal charge against A for not obeying the subpoena to appear and give evidence. A is liable to a year's imprisonment, or fine, or both. Some punishment he must receive, for under the circumstances of the case, it is clear that he intentionally omitted to attend in pursuance of the order of the Court.

These provisions require to be greatly modified: as they now stand, they would work only evil. Chapter X. however, contains a good many useful clauses as to omitting to give information, or giving false information to public officers, and as to making false statements on oath (not in strictly judicial proceedings,)

* Chapter X., Clause 1, 2, 4.

and as to obstructing, or not assisting, an officer in the execution of his duty, and the like matters.

There is an inconsistency, the reason for which is not very appreciable, in the punishments awarded by clauses 7 and 12. Under the former, whoever, being legally bound to furnish information to a public servant, furnishes information which he knows to be false, shall, if the information he is legally bound to give respects the commission of an offence, or is in order to the apprehension of an offender, be punishable with imprisonment for 2 years, with or without fine. By the latter, whoever gives false information to a public servant, intending to cause such public servant to use his power to the injury or annoyance of any person, shall be punishable with six month's imprisonment, with or without fine not exceeding 1000 Rupees. We do not see why the punishment assigned to the one offence should be so much less than that assigned to the other. The case contemplated in clause 12, is in fact comprehended in clause 7, but a more limited punishment is assigned to it. Probably the intention was to make the 7th clause refer to cases where an offence actually has been committed, and the other clause to cases where a false charge is brought, but no offence has in fact been committed at all. But if such was the intention, it is not very apparent. The two clauses moreover are not quite reconcileable with the following :—

“Chap. XI., Cl. 20. Whoever, with intent to cause injury to any person, institutes or causes to be instituted any criminal proceeding against that person, or falsely charges any person with having committed an offence, knowing that there is no just or lawful ground for such proceeding or charge against that person, shall, after the final determination of such proceeding or charge in that person's favour, be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both ; and if any criminal proceeding be instituted on a false charge of an offence punishable with death, transportation for life, or imprisonment for seven years or upwards, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.”

It is difficult to understand why, supposing the charge to be false, so much should be made to depend on its *final determination* in favor of the person charged.

The crimes of giving and fabricating false evidence, and of making false documents, are so well dealt with, that we hope there is at last a prospect of being able to reach those by whom these offences are usually committed, and who from the bad state of the law, have hitherto almost invariably been enabled to escape punishment.

The offences are thus defined :—

Chap. XI., Cl. 1. “Whoever in any stage of a judicial proceeding, being bound by an oath or by any express provision of law to state

the truth, or being bound by law to make a declaration upon any subject, states for truth that which he knows or believes to be false, or which he does not know or in good faith believe to be true, is said to give false evidence.

2. Whoever causes any circumstance to exist, or makes any false entry in any book or record, or makes any document containing a false statement, intending that such circumstance, false entry, or false statement may appear in evidence in a judicial proceeding, or in a proceeding taken by law before a public servant as such, or before a private arbitrator, and that such circumstance, so appearing in evidence, may cause any person who in such proceeding is to form an opinion upon the evidence, to entertain an erroneous opinion touching any point material to the result of such proceeding, is said "to fabricate false evidence."

And then we have the following explanations :*—

1. "A trial before a Court Martial is a judicial proceeding.
2. An investigation directed by law preliminary to a proceeding before a Court of Justice, is a stage of a judicial proceeding, though that investigation may not take place before a Court of Justice.
3. An investigation directed by a Court of Justice according to law, and conducted under the authority of a Court of Justice, is a stage of a judicial proceeding, though that investigation may not take place before a Court of Justice."

Using evidence known to be false—uttering or using a false certificate,—making or using a false declaration not on oath but receivable as evidence,—causing the disappearance of evidence, harbouring and screening offenders, or not apprehending them,—returning from transportation, and false persecution for the purposes of a suit, are amongst other matters, disposed of in the chapter of offences against public Justice. The 12th and 13th clauses relate to the omission to give information, and the giving false information, to the police: but they seem nearly limited repetitions of the 6th and 7th clauses of the preceding chapter, except that they assign a different punishment. Forgery, as defined in the Code, embraces a good deal that has not heretofore been comprised in the term. It is, for example, declared to be "forgery," to make "a person sign, seal, execute or alter a document, knowing that 'such person by reason of unsoundness of mind or intoxication ' cannot, or that by reason of deception practised upon him, he ' does not, know the contents of the document, or the nature of ' the alteration.'"†

Fraudulent dispositions of property, by direct or indirect means,‡ are made criminal offences in all engaged in them:

* Annexed to Cl. 3.

† Chapter, XVIII., Cl. 2, Para. 3.

‡ Chapter, XI., Cl. 16—19. Chapter XVII., Cl. 42—47.

and so we find* that any one is punishable with imprisonment for two years with or without fine, who *fraudulently claims any property or any interest therein, knowing that in good faith he has no right to the property or interest claimed.* In this land of fraudulent transfers of property, and false claims, these are very salutary and wholesome laws to lay down. But they are sufficiently sweeping, and if they could be carried out literally and to their full extent, we believe, that at least one-fourth of the whole male population of Bengal would be incarcerated under them, within six months after they came into force !

Perhaps the one point on which Englishmen consider they can well bear comparison with other nations, is their conduct in the matters treated of in the chapter of offences against Marriage. Any interference by the law with that conduct is accordingly looked upon with jealousy, except on the one subject of having, or attempting to have, a plurality of husbands or wives. On that there has long been legislation ; and custom, no less than the cruel injury entailed by that particular offence, have led us to think it criminal, and to approve of its being treated as such. Adultery is a very grave moral offence, and one which nobody can justify. Nevertheless we see no necessity for making a criminal offence of it. The *civil* consequences to the adulterer may be, and nearly always are, very serious ; they are generally a very heavy punishment to him. It might be said, that as civil proceedings can be taken only by the injured husband, it is necessary to make the offence punishable criminally, so that the public may of itself be in a position to avenge the injury done to it, without the assistance, or reference to the wishes, of any private individual. But the explanation with which the chapter concludes, prevents the use of such an argument. It discloses that the real object of the new provisions is not the punishing the public wrong, but the indulgence of the vindictive feelings of the husband, for it provides that no proceedings for the punishment of adultery shall be instituted, except by the husband of the woman. Criminal laws are not enacted for the purposes of private revenge, or the gratification of the feelings of individuals ; at least they ought not to be so, and if they are, can work no good.

The restricting the right to call the proposed enactment into operation, is an admission that there is no public need for the law. If it were really required, there would be no such restriction. Adultery is just one of those things in which the interference of the law, where not absolutely necessary, is to be deprecated. It ought to be left, as far as possible, to be dealt with by society. We have got on very well hitherto without any such provisions

* Chapter 17. Cl 47.

as those now contemplated : why then make any alteration ? A change was once attempted in England, at the time the republican party had the ascendant in 1650 ; but a speedy return to the old system was made at the restoration. As Sir William Blackstone says in his chapter on offences against God and Religion * (under which head he classes adultery), "it was not thought proper to renew a law of such unfashionable rigour."

Prevention is the real object of all punishment, but severe punishment will not prevent adultery. The French law is more severe than the English, and the Roman punishment was more severe than the French : yet the offence is more common in France than in England, and it was still more common in Rome. The fact is that the days are passed, if they ever existed, when the will of a legislator, or even of a legislative body, could make laws effective, which the moral sense and public opinion of the community do not demand. Such laws may be registered in the Statute book, but they do not become a rule of action. No provisions could have been more strict than those of the English law against duelling : but because the public mind did not feel that such a law was required, no one, however clearly he was in fact guilty, was ever convicted, if he appeared on the trial to have acted as a man of honor. The proposed clauses of the Code are not approved or demanded by public opinion, and we have no hesitation in saying they will be found practically useless.

In the Macaulay Code, adultery was *not* treated as a penal offence. We fully agree with the commissioners in their very sensible observations on the subject† :—

" * * * it seems to us that no advantage is to be expected from providing a punishment for adultery. The population seems to be divided into two classes—those whom neither the existing punishment, nor any punishment which we should feel ourselves justified in proposing, will satisfy, and those who consider the injury produced by adultery as one for which a pecuniary compensation will sufficiently atone. Those whose feelings of honour are painfully affected by the infidelity of their wives, will not apply to the tribunals at all ; those whose feelings are less delicate, will be satisfied by a payment of money. Under such circumstances, we think it best to treat adultery merely as a civil injury." * * *

"That some classes of the natives of India disapprove of the lenity with which adultery is now punished, we fully believe ; but this, in our opinion, is a strong argument against punishing adultery at all. There are only two courses which, in our opinion, can properly be followed with respect to this and other great immoralities ;

* Commentaries, Vol. 4, p. 65.

† Note.—Q. Penal Code : printed by order of the House of Commons, Aug. 3, 1838, p. 118.

‘ they ought to be punished very severely, or they ought not to be punished at all. The circumstance that they are left altogether unpunished does not prove that the legislature does not regard them with disapprobation ; but when they are made punishable, the degree of severity of the punishment will always be considered as indicating the degree of disapprobation with which the legislature regards them. We have no doubt that the natives would be far less shocked by the total silence of the penal law touching adultery, than by seeing an adulterer sent to prison for a few months, while a coiner is imprisoned for fourteen years.’

But even if adultery is to be made a crime, still the present clauses are not what they ought to be. Clause 6 is as follows :—

“ Whoever has sexual intercourse with the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description, for a term which may extend to five years, or with fine, or with both.”

So that any man will be guilty of the crime of adultery, and punishable with imprisonment for five years and fine, who lives with a married woman whose husband has not obtained a divorce by Act of Parliament,—although there has been a separation, a divorce *a mensa et thoro*, and the proceedings towards the final divorce are all but complete. In such a case, this Clause would operate most injuriously. The offence having once been committed, it seems cruel (though there are opinions, we know, the other way,) to prevent the offenders from making the only reparation to society that is in their power, by marrying. An absurd mistake may be made in the construction of the 3rd and 4th clauses.

3. Whoever, having a husband or wife living, marries, in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

Exception.—This clause does not extend to any person whose marriage with such husband or wife has been declared void by a court of competent jurisdiction, nor to any person who contracts a marriage during the life of a former husband or wife, if such husband or wife, at the time of the subsequent marriage, shall have been continually absent from such person for the space of seven years, and shall not have been heard of by such person as being alive within that time ; provided the person contracting such subsequent marriage informs the person with whom such subsequent marriage is contracted, of the real state of facts, so far as the same are within his or her knowledge.

4. Whoever commits the offence defined in the last preceding clause, having concealed from the person with whom the subsequent

marriage is contracted, the fact of the former marriage shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine."

On reading these for the first time the impression left upon our mind was, that one whose marriage had been declared void by a Court of competent jurisdiction, or whose husband or wife had been continually absent for seven years, might with safety marry again, *provided that the person contracting such subsequent marriage informed the person with whom such subsequent marriage was contracted, of the real state of facts, as far as the same were within his or her knowledge*;—but that the omission to comply with this proviso, and to give the required information, rendered the person liable to ten years' imprisonment. Such a state of things was too preposterous; and accordingly on further consideration we perceived that clause 4 applies not, as we had read it, to the immediately preceding "exception," but to clause 3 taken by itself. The wording of the Code here, when duly read and considered, and when the definition of the word "Clause" is referred to, is, we admit, not incorrect. Still there is in the arrangement a certain amount of confusion, which, as it is likely to lead to mistake, ought to be remedied.

If offences relating to marriage are to be made crimes of at all, we are at a loss to know on what principle it is, that they are dealt with as if the offence were entirely or almost entirely confined to the male sex. The only offence which it is proposed to make punishable in a woman is the *by deceit causing any man who is not lawfully married to her to believe that he is lawfully married to her, and to cohabit with her in consequence of that belief*. For that she is to be liable to imprisonment for one year, or fine, or both; while for the like offence, if it is committed by a man, the punishment extends to fourteen years' imprisonment *and* fine. It may be true that practically the offence is much less common among women than it is among men, and also that the results are less injurious to a man, when such a misfortune occurs to him, than they are to a woman. But these are not considerations sufficient to warrant a provision so purely arbitrary in favor of women, when the real guilt is in either case the same. These remarks apply to the whole of the proposed law of adultery. Under clause 6, a man may find himself imprisoned for five years with fine, but a woman cannot be touched. According to sound reasoning it seems to us, that what is good law for the one sex is good law for the other: and, on that principle, we find that the French law, which makes adultery a crime, makes it so, whatever may be the sex of the offender. As the indulgence of the husband's revengeful feelings is apparently the chief object of making the offence punishable criminally, it is rather surprising that the law has not been made

to embrace the offending wife. We should think that there would often be quite as much consolation found by the injured husband in locking his wife up for a time as in locking up her paramour. We have treated the subject only as it applies to Europeans, for we believe that it was for them principally that these provisions have been introduced. But we do not see that the proposed change is in any degree more required for the native population, than it is for the European, or more desired by them. On the contrary, if it were ever to be made use of by them, it would, we are convinced, be so merely for the purposes of revenge or extortion. It is true, that the offence was punishable criminally by Mahomedan law: but no injury seems to have been caused by that law having been allowed to fall in great part into desuetude: and we can nowhere discover any symptoms of a desire for its renewal. On the whole, we trust that, if this chapter is not omitted, it will be very much altered and modified.

We have at all times spoken our mind freely on all matters when we saw occasion, and we have spoken with perfect confidence and fearlessness, knowing that what we said was true, and that so long as it was true we were practically safe. *But it will no longer be safe to speak the truth.* We were not a little startled when we came to that portion of the Chapter on Defamation in which we found the following doctrine enunciated:—

1. Whoever by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person, intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases excepted in the ten clauses next following, to defame that person.

2. *First exception.* It is not defamation to impute any thing which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact.

Now we object wholly to any such law, and protest against being compelled at every moment to stop and consider whether or not it is likely that a Court of law will think that it is for the public good, that the truth of which we wish to deliver ourselves should be published. There is a great deal of truth spoken in this world, of which it is perfectly impossible at the time it is spoken, to say that its publication is for the public good, and the publication of which, nevertheless, eventually does a great deal of good. It may not always be particularly convenient to some people that the truth should be spoken; but on the whole, the more the truth is spoken the better. Here again we

find that the Macaulay Code has been altered for the worse. In it the question, which we admit is one of some little difficulty, is treated in a practical and sensible manner. "It is not defamation to 'attempt to cause any thing which is true to be believed in any 'quarter concerning any person.'"^{*} We wish we had room for some extracts from the very able argument upon this provision, which is annexed by the Commissioners to their Code.[†]

The whole subject of defamation is, we think, dealt with in a manner not suitable to the state of society existing in this country. Some of the illustrations given in the Code shew how it will work :—

Cl. 1, (a) A says—"Z is an honest man; he never stole B's watch;" intending to cause it to be believed that Z did steal B's watch. This is defamation, unless it fall within one of the exceptions.

Cl. 7, (d) A says of a book published by Z. "Z's book is foolish, Z must be a weak man. Z's book is indecent, Z must be a man of impure mind." A is within this exception, if he says this in good faith, inasmuch as the opinion which he expresses of Z, respects Z's character only so far as it appears in Z's book, and no further.

(e) But if A says—"I am not surprised that Z's book is foolish and indecent, for he is a weak man, and a libertine,"—A is not within this exception, inasmuch as the opinion which he expresses of Z's character is an opinion not founded on Z's book.

Religious prejudices are protected and fostered to the utmost by the Code,—to such a degree indeed as to make it difficult to see how Missionary operations can go on at all. We would call the very serious attention of the Legislature to this. The object surely cannot be to throw impediments and dangers in the already sufficiently difficult path which Missionaries have to tread. The whole of the chapter of offences against Religion is very objectionable, and requires remodelling :—the two following clauses are perhaps the worst :—

15, Cl. 5. "Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

2. "Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship, or religious ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both."

^{*} Clause 470, 1st Exceptions.

[†] Note R.

Too much provision is indeed made throughout the Code for the prejudices, feeling and fears of individuals.

Chap. 22, Cl. 4. "Whoever voluntarily causes or attempts to cause any person to do any thing which that person is not legally bound to do, or to omit to do anything which he is legally entitled to do, by inducing or attempting to induce that person to believe that he or any person in whom he is interested will become or will be rendered by some act of the offender an object of the divine displeasure if he does not do the thing which it is the object of the offender to cause him to do, or if he does the thing which it is the object of the offender to cause him to omit, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or both.

Illustrations.

(a) A sits Dhurna at Z's door with the intention of causing it to be believed that by so sitting he renders Z an object of divine displeasure. A has committed the offence defined in this clause.

(b) A threatens Z that, unless Z performs a certain act, A will kill one of A's own children, under such circumstances that the killing would be believed to render Z an object of divine displeasure. A has committed the offence defined in this clause.

"Chap. 22, Cl. 5. Whoever intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or both.

"Chap. 10, Cl. 27. Whoever holds out any threat of injury to any person for the purpose of inducing that person to refrain or desist from making a legal application for protection against any injury, to any public servant legally empowered as such to give such protection, or to cause such protection to be given, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

"Chap. 16, Cl. 54. Whoever makes any gesture, or any preparation, intending or knowing it to be likely that by such gesture or preparation he may cause any person present to apprehend that he who makes that gesture or preparation is about to use force to that other, and thereby to affect that other's sense of feeling by bringing any substance into contact with any part of that other's body, or any thing which that other is wearing, carrying, or using, is said to commit an assault.

Explanation. Mere words do not amount to an assault. But the words which a person uses may give to his gestures or preparations such a meaning as may make those gestures or preparations amount to an assault.

(b). A begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby cause Z to believe that he is about to cause the dog to attack Z. A has committed an assault upon Z.

"Chap. 16, Cl. 59. Whoever assaults or uses criminal force to any person, intending thereby to dishonor that person, otherwise than on grave and sudden provocation given by that person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or both.

With such provisions as these, it is well that we find at Clause 20 of Chapter 4 that :—

"Nothing is an offence by reason that it causes, or that it is intended to cause, or that it is known to be likely to cause, any harm, if that harm is so slight that no person of ordinary sense and temper would complain of such harm—

—which, we hope, will be borne in mind and used to check the countless frivolous charges which, if at all encouraged by the Courts, will be made under the Code.

The adulteration of articles of food and drink has of late years attracted much attention in England, and many attempts have been made to convert it into a penal offence. These attempts, however, have been in a great measure frustrated by those whose interest it was to support the existing state of things, and by those who considered themselves to be bound, at whatever cost, to uphold the time-honored but rather dishonest doctrine of *Caveat Emptor*. We have always thought that the Legislature ought to interfere, and that adulteration,—which is invariably done not only contrary to the wishes of those affected by it, but without their knowledge, and which is unquestionably highly blameworthy in a moral point of view,—ought to be made a penal offence. We are therefore disappointed to see the matter dealt with in so limited a manner in the 14th chapter. No provision is made for the case of adulteration, except when it is done to such an extent as to be "noxious," and with the intention of selling the article adulterated. If the adulteration is either not absolutely "noxious," or not done with the intention to sell the article, or knowledge that it probably will be sold, no offence has been committed. This is a mistake. Adulteration of any kind should be a punishable offence, if made either with the intent to sell the article adulterated, or without the knowledge and consent of the owner of it. As the clauses are now framed, there will be a constant difficulty in ascertaining whether the adulteration is "noxious," and in proving it to be so : and adulteration by one's own servants, who afterwards place the adulterated article on the table, will go unpunished. We see no good reason why we should not be enabled to punish our kitmutgars for giving us chalk and water instead of milk, or why the law against adulteration should not be of the most comprehensive nature. There is no hardship in making it so, for it would fall heavily on none but the dishonest,—and on

those too, whose dishonesty has shewn itself in such a shape as entirely to dispel all sympathy.

Under the head of criminal Trespass, we find the sub-divisions of, Criminal Trespass proper,—House Trespass,—Lurking House Trespass,—Lurking House Trespass by night,—House Breaking,—House Breaking by night. There is a tendency here to refine too much, and to draw too thin distinctions between offences. For instance, there is no use of making separate offences of Lurking House trespass and House Breaking. No doubt there is a difference between them; but so there is between getting into a House through a window, and other kinds of House Breaking, if it were worth while to draw a line between them. To all practical intents and purposes, Lurking House Trespass, and House Breaking, are the same offences. A very slight expansion of the definition of House Breaking, would include all that is now comprised in the two offences taken together: and it is highly desirable that such an expansion should be made, so as to reduce as much as possible the number of heads and classifications. The term "Lurking House Trespass" does not please our ear, and we should gladly hear no more of it. We regret the introduction of new names, and the unnecessary displacement of old ones. It will hardly be believed that there is no such thing as "felony" or "misdemeanour" under the Code, and that "burglary" and "perjury" are alike unknown to it.

The Code is not very simple in its form: and we have shewn above, how this defect led us into mistake. We fear, however, that it is too late now to expect much alteration in this respect. The chapters contain heads, clauses, explanations, exceptions, and illustrations—none of the three latter being included in the clauses to which they are attached, but the term "clause" being confined strictly to one of those portions of the chapter which are distinguished by prefixed numerical figures. The Code contains no direction as to the comparative weight and authority of its component parts, so that questions may be raised whether an explanation is of equal authority with a clause, an exception with an explanation, and so on.

As to the illustrations, in particular, some distinct declaration on this point is required, for at present it is impossible to say what their position is. It appears to us that if there are to be illustrations at all, they ought to have the authority of cases decided by a superior Court, whose decisions all other Courts are bound to follow; but that, further than that, they cannot be taken as in any degree extending or limiting the operation of the text. The framers of the original Macaulay Code seem to have intended the illustrations to have a wider effect, for we find them writing thus to the Governor General. "They will,

MARCH, 1857.

' we trust, greatly facilitate the understanding of law, and will, at the same time, often serve us as a defence of law. In our definitions we have repeatedly found ourselves under the necessity of sacrificing neatness and perspicuity to precision, and of using harsh expressions, because we could find no other expressions which would convey our whole meaning, and no more than our whole meaning. Such definitions, standing by themselves, might repel and perplex the reader, and perhaps would be fully comprehended only by a few students after long application. * * * We hope that when each of these definitions is followed by a collection of cases falling under it, and of cases which, though at first sight they appear to fall under it, do not really fall under it, the definition and the reasons which led to the adoption of it, will be readily understood." * * We confess we are at a loss to see how any good can come of the illustrations if they are placed higher than decisions of a superior Court, mere precedents which must be followed so far as they go. Many of them are rather superfluous: take for example the definition of the word "Coin," and the illustrations annexed to it.

Chap. 12. Cl. 1. Coin is metal used as money, stamped and issued by the authority of some Government, in order to be so used.

Coin stamped and issued by the authority of the Queen, is designated as the Queen's coin.

Illustrations.

- (a) Cowries are not coin.
- (b) Lumps of unstamped copper, though used as money, are not coin.
- (c) An ancient Denarius is not now coin, inasmuch as such pieces are not now used as money.
- (d) Medals are not coin, inasmuch as they are not intended to be used as money.
- (e) Bank tokens issued by a private bank are not coin, inasmuch as they are not put forth by the authority of any Government.

These illustrations are certainly harmless enough. But of what conceivable use are they? Coin is said to be "metal," how then could a cowrie, possibly, be supposed to be "coin?" It is said to be "metal used as money *stamped*." how then could *unstamped* metal be coin? These and many others of the illustrations do not in fact explain or clear up any thing as to which a reasonable doubt could exist. On the whole we think they are not of much assistance, and the Code would be better without them.

It is said with truth in the letter of the commissioners, that "in the definitions, neatness and perspicuity have sometimes been sacrificed to precision;" but for all that, it cannot be

denied that the very difficult task of explanation and definition has on the whole been well performed. In some instances however, there is a good deal of straining, if not of absolute deficiency. For example, we have the word "document" defined thus—

Chap. 2. Cl. 23. The word "document" denotes any matter expressed or described upon any substance by means of letters, figures, or marks, or by one or more of those means, intended to be used, or which may be used, as evidence of that matter.

Now a "document," as it seems to us, is not only the matter expressed or described, but also the thing expressing or describing the matter. It is not easy to conceive the existence of the matter expressed or described, apart from that which expresses or describes it, but both are in fact essential component parts, in the absence of either of which, there is no document. The illustrations which follow, are correct enough, for in all of them it is the *whole thing*,—the matter expressing and the matter expressed, taken together,—that is said to form the document.

A writing expressing the terms of a contract may be used as evidence of the contract. It is therefore a document.

A Check upon a Banker is a document.

A Power of Attorney is a document.

A Map or Plan is a document.

A writing containing directions or instructions is a document.

It is worthy of remark, that a tomb-stone and its inscription will henceforth constitute a document. The same fault that we complain of in the definition of the word "document" exists in that of the term—"valuable security," (Cl. 24) and is seen in the following illustration :—

A writes his name on the back of a bill of exchange. As the effect of this endorsement is to transfer the right to the bill to any person who may become the lawful holder of it, the endorsement is a "valuable security."

It is clear that the mere endorsement, if it is considered as abstracted from the bill of exchange upon which it is written, is simply a name and nothing more. It is not the endorsing a slip of blank paper that is a "valuable security;"—it is the endorsing a bill of exchange. The whole thing taken together makes a valuable security, the mere endorsement does not.

The following provisions seem to pay rather too much deference to the weaknesses of certain classes of the natives :—

Chap. 16, Cl. 2. *Exception 5.* Culpable homicide is not murder when the person whose death is caused, being above the age of eighteen years, suffers death, or takes the risk of death, with his own consent.

(c) A by instigation voluntarily causes Z, a person above eighteen

years of age, to put himself to death. A has abetted culpable homicide, but not murder.

69. Whoever kidnaps or abducts any person, in order that such person may be murdered, or may be so disposed of as to be put in danger of being murdered, shall be punished with transportation for life, or rigorous imprisonment for a term which may extend to fourteen years, and shall also be liable to fine.

And so also, in a different way, does Clause 71, which seems inserted expressly for the encouragement of laziness in the working classes :—

Chap. 16, Cl. 76. Whoever unlawfully compels any person to labor against the will of that person, shall be punished with imprisonment of either description for a term which may extend to one year, and shall also be liable to fine.

But we must conclude. We have drawn attention to some of the most marked features of the Code, and must leave it to our readers to search for themselves, for a great deal that is worthy of their attention, and unnoticed by us here. It has struck us forcibly on our perusal of it, that the Code has been composed more for the Europeans in India than for the natives : and that its operation as regards the former was kept in view, much more than its operation as regards the latter. This is a very grave mistake ; but we trust confidently to see this, as well as many other of its defects, in a great degree remedied by the good sense of those through whose hands the Code will now have to pass before it becomes law. We are not surprised, however, that its anti-European tendency should create a good deal of distrust in the minds of Europeans, especially when it is considered that, almost simultaneously with the Code, a measure has been introduced, one object of which is to put an end to the right, which all British subjects throughout India have hitherto enjoyed, of being tried by the Queen's Courts, and a Jury of their peers.

In introducing the Criminal Procedure Bill, Mr. Peacock intimated that the effect of one of its provisions will be to bring all British subjects in India under the jurisdiction of the local Criminal Courts. This intimation is very distasteful to Europeans in the Mofussil. For our part we are well convinced, that the more British subjects know the full consequences which the proposed change will entail upon them, the more they will deprecate it.

The main arguments usually advanced in favor of the change, are, that the existing state of the law is anomalous, and that it makes the trial of British subjects expensive and difficult.

We must admit that the trial of British subjects is often an expensive and difficult business, and that possibly some members of that class, may in consequence have escaped punishment,

(although we believe that, in fact, this has seldom if ever been so.) But if we prove, as we shall do, that a reasonably good or fair trial is not to be had in the Company's Criminal Courts,—who shall say that the money and the trouble have been ill-expended, which were spent in insuring justice being done to the accused, or that the mere costliness or difficulty of the present system is of itself a sufficient reason for its abolition?

But the present state of things is said to be anomalous. Possibly it may be so: still it does not by any means follow as a matter of course, that it is therefore an evil. If there be a good reason for the existence of an exception or anomaly, it ought not to be put an end to, merely because it is an exception or anomaly. Many things that are perfect in theory are very bad in practice. Uniformity is good in theory, and is a very good thing if it can be had: so are fraternity, and equality, although they are found to be in reality perfectly impracticable.

What the promoters of the proposed change have to prove, is, that on the whole it will do more good than harm: and this they have not yet proved. The change, if carried out, will benefit no one, while in the Mofussil Courts, British subjects will not meet with that justice which they now find in the Courts to which they are subject. It must be borne in mind that the question now raised, is not whether higher privileges shall be extended to British subjects than to the natives, but whether British subjects are to be deprived of privileges they have long enjoyed. We need not stop to eulogise the Supreme Courts. They have plenty of imperfections no doubt,—but no one will contradict us when we say, that in the exercise of their criminal jurisdiction, they have on the whole given satisfaction to the community, native as well as European, and have done good and substantial justice in the cases that have been dealt with by them. With the Criminal Courts of the Company it is far otherwise. We by no means wish to underrate the difficulties with which the Company's officers have to contend; nor to forget the amount of work they have to get through, and the circumstances under which they have to do it; but the fact remains, that throughout the land the administration of justice by the Company's Courts is as bad and inefficient as it can be. It must of necessity be so, under a system, the foundation of which is, that every officer is to be taken as knowing every thing and able to do every thing, whatever may have been his opportunities, and whatever his real qualifications may be.

No Courts can be said to be working well, so long as their proceedings are all uncertainty, and the business of every Court seems to be to act independently of, and differently from, all others. Yet that is the position of the existing Courts. Sessions Judges and Magistrates do one day, that of which they do exactly

the opposite on the next day: while the Sudder upsets as much as it possibly can of what is done by the Courts below, and is as inconsistent in its own decisions as they are,—and often quite as far from being right. The following facts will scarcely be believed. They are collected from the reports of its own proceedings published monthly by the Court of Nizamut Adawlut itself:—

In the year 1855, the Sudder Court spared the lives of 34 persons, whom the Lower Courts had convicted, and sentenced (or rather presented for sentence, for in such cases the sentence is not final, but made as a recommendation) *to death*. Fourteen of the 34 were *fully acquitted*: one was imprisoned for seven years, nineteen were transported for life.

The Sudder *sentenced to death* eleven prisoners whom the Lower Courts had thought worthy of a less punishment. The Sudder *acquitted* 22 persons sentenced by the Lower Courts to transportation for life: and reduced the punishment of ten others who had received the like sentence. Altogether in the course of the year, the Sudder *acquitted and released some 377 persons who had been convicted and sentenced by the Courts below!*

And it is the same always. For instance in the reports for the month of January 1856, we find that four persons sentenced (or recommended) by the Lower Court to transportation, one for fourteen years, the rest for life,—were *by the Sudder Court sentenced to death*: and seven whom the Lower Court thought worthy of *death* had their lives spared, one of them being *wholly acquitted* by the Sudder. Eighteen sentenced to transportation for life were *acquitted* by the Sudder: four had their term changed to fourteen years, two to seven years, and one had all the proceedings quashed.

Seven persons sentenced to transportation or imprisonment for fourteen years were *acquitted*.

Three whom the Lower Court had sentenced to imprisonment for ten years, were by the Sudder transported for life, and one had the whole proceedings in his case quashed.

Seven persons sentenced to imprisonment for seven years were *acquitted*, and one had his term reduced to two years.

Seven persons sentenced to imprisonment for five years were *acquitted*, and one had his term reduced to two years.

Four sentenced to four years' imprisonment were *acquitted* by the Sudder, as were six who had been sentenced to three years, one sentenced to one year, and ten sentenced to six months.

A lamentable account truly, of one month's proceedings of the highest criminal Courts in the country!

And so in the month of February, two persons sentenced to *death* were *acquitted* by the Sudder: and four had their sentences changed to transportation or imprisonment,—one of them for only three years. *Four sentenced by the Lower Court to transpor-*

*tation for life were by the Sudder condemned to death, and ten others were acquitted:—*and then follows a long list, as similar as possible to that of the preceding month.

What can be worse than this? Fourteen innocent men sentenced to death in the course of 1855,—and one in the month of January of last year, and two in the month of February!! And besides these, who shall say how many more of those who underwent capital punishment during these periods, were innocent? With the facts before us which we have just stated, we confess that their not having succeeded in obtaining their release, conveys to our mind no conviction of their having been really guilty. That they may have been so, is all that can be said. Of all the solemn and responsible acts that a man can be called upon to perform, there is none in any degree approaching in solemn importance to the taking away the lives of his fellow-creatures, yet with what culpable levity and negligence is this duty performed here?

It matters not, so far as the public are concerned, who is to blame for this state of things,—whether it is the fault of the Sudder, or of the Lower Court, or, as is most probable, of both equally. Whatever be the cause, the facts speak for themselves: and their effects may be imagined more easily than described.

Lest we may be supposed to be exaggerating or misrepresenting the real state of the criminal administration of the country, (our remarks of course apply more especially to Bengal) we refer to the minute written by Mr. Halliday on the subject, in the spring of last year, where every thing we have said is, we believe, more than confirmed. We shall not be considered to have gone too far in the observations we have made, when it is found to be the opinion of the present Lieutenant Governor of Bengal, that it will be vain to improve the agency for the detection and apprehension of criminals, unless the agency for trying them is also improved:—that the criminal tribunals certainly do not command the confidence of the people:—that the general native opinion is certainly, that the administration of criminal justice is but little better than a lottery, in which, however, the best chances are with the criminal, which is also very much the opinion of the European Mofussil community;—and that until the tribunals are reformed, there is no use in reforming the police, —and that it would be money thrown away to attempt the latter till the former was vigorously insisted upon.

Is it to be wondered at, that British subjects should object to being brought under the jurisdiction of such Courts, and that they value highly their privilege of being tried in the same manner as Englishmen at home or in the colonies, and with the same chance of being well tried as they have? It would be very wonderful if they did not. And this is no time for the Government to attempt so dangerous an experiment.

If it should be considered necessary to make some alteration, (which we do not at all see that it is), the only mode in which it can with any propriety be done, is to subject Europeans, only to the oldest and most experienced class of the Mofussil judges, and to try them before these judges, assisted by a jury, composed of British subjects.

The jury must be of British subjects: for it is only in Calcutta that a sufficient number of any other class can be found, in whom any thing like independence or impartiality, or the intelligence required, exists. And a jury of British subjects might always be had by making available for the purpose the services of military officers, and all others not actually employed themselves as judges or magistrates. With a real jury of British subjects, (whose verdict as to the facts would be final) and with only persons of the standing of zillah judges to try them, we do not see that much injustice would often be done. The tendency of the proposed change is wholly backwards: it will merely lower the standard of average efficiency in the Courts throughout India, which is already low enough. For it will transfer an extensive jurisdiction from Courts that now exercise it satisfactorily, to Courts which are not qualified to exercise it with the same result. It degrades British subjects to the position of natives, without benefiting the latter in any degree.

A movement such as that now suggested is purely retrograde, and is no reform. The real mode to effect a reform is not to diminish the privileges of British subjects, but to increase those of natives. Give them as good Courts as the others have. Improve the Courts and the administration of Criminal Justice in the Mofussil, till they become reasonably good and trustworthy, and then make all persons subject to them alike. It is not that British subjects wish to be under the control of no Courts at all: they want nothing more than the assurance of having a fair trial. Let any reasonable provision for their safety be made, and we venture to say that they will be the last to complain of all persons being alike made subject to the jurisdiction of the local Courts.

The proposed change must not be made, so long as the Courts of the Mofussil deal with matters of life and death no better than they do now. It will not do for the lower Courts to sentence Englishmen to death, and for the superior Court immediately to acquit them; still less will it do for the superior Court to condemn to death Englishmen whom the inferior Courts consider not legally to have forfeited their lives. Yet these things are done daily by the Courts in dealing with natives.

- ART. IV.—1. *The Three Colonies of Australia.* By S. SIDNEY, Esq. London, 1852.
2. *Two years in Australia.* By WILLIAM HOWITT. London, 1856.
3. *Papers relative to the discovery of gold in Australia, presented to both Houses of Parliament.* By H. M. COMMAND. 1855-56.
4. *The Argus.* Melbourne, 1851-56.
5. *The Empire.* Sydney, 1851-56.
6. *The South Australian.* Adelaide, 1851-56.
7. *Household Words.* 1853-55.

AT the period when Great Britain had gone far towards laying the foundation of a powerful Empire in the East on the ruins of Hindoo and Mussulman thrones, when some of her greatest Generals had earned their laurels on Indian battlefields, when East Indian Commerce had become a valuable item in the mercantile balance sheet of England,—in the early part of the last quarter of the eighteenth century, Australia did not contain a single British inhabitant; it had no other than a Geographical existence, and that but of an uncertain extent and nature. Quiros, Torres, Tasman, Dampier and Cook had each contributed his share of discovery of the "*Great South Land*," without, however, demonstrating any of its advantages to the mother country. Regarded in the West as a vast Island-continent without value, as a barren desert of sand and rock, without rivers or soil, it was not until the exigencies of the state required some outlet for the yearly increasing tenants of its jails and hulks, that attention was turned to the eastern shores of the Australian continent, where Botany Bay, since made terrible in the annals of criminal depravity, was selected as the most fitting portion of New South Wales, on which to plant the dregs of the convict population of Great Britain, the felon-pioneers of a new and wealthy dependency of the Crown.

It was early in the year 1788, whilst Tippoo, the Lion of Mysore, was being hunted to his den by the British forces, that the first convict cargo was landed, not in Botany Bay as originally intended, but eighteen miles further northwards, in Port Jackson, on the capacious shores of which Sydney has since risen, through much vice and tribulation, to a proud pre-eminence amongst the colonial cities of Great Britain. In both countries, in the East as in the South, how great the progress, how strange the result; the end how unlike to the beginning! In the one commerce

MARCH, 1857.

M

led the way, in the other felony : in the one the pioneers were a handful of factors and supercargoes, giving place before long to conquerors, to statesmen, to the arbiters of the destiny of a hundred millions of subjects ;—in the other, the jailor and the convict toiled on through years of unknown horrors, amidst the sound of the lash, and the clank of the chain, subduing the desert and the savage, by slow degrees, to the influence of civilization, (such as it was in those days, in that *terra incognita*,) and falling back in time to make way for the shepherd, the farmer, the trader and the gold digger, who amongst them have made “the rose ‘to blossom in the wilderness’” of that strange South Land. In the East our empire has been won by the bayonet and the sword ; in the South it has been gained by the shepherd’s crook and the plough. But in both, there are the same tendencies, the like final results ; a strong attachment to the old country, whilst its government deals out justice to all portions of its dependencies ; a noble field for the spare energy, intelligence and philanthropy of the father-land ; and between one and the other of them a growing intercourse, which though as yet but in its merest infancy, will before many years shall have elapsed, ripen into mature greatness, and render Australia not less important and valuable to India, than will be the latter to the Colonies of the South.

Without going the length of maintaining that without transportation Australia could never have become what it is, we are certainly justified in stating, that the convict systems of New South Wales and Van Dieman’s Land, infamous as they were in early days, and bad though they may have been amidst a later free population, were the real pioneers of the after prosperity of those Colonies ; and that much that has been done towards the improvement of their inland communication, the erection of public works, docks and similar undertakings, could not have been attempted without an abundant supply of convict labor.

We have no intention, however, of writing a treatise upon transportation and its effects, neither do we desire to plunge our readers into the details of the early Australian settlements, carrying them from the history of the first bale of wool and cask of tallow shipped thence to Europe, to the latest returns from the newly discovered Gold Field in Van Dieman’s Land. We wish only to convey to them a just idea of the capabilities and probable future position and requirements of the Australian Colonies, with a view to demonstrating the relationship which must, at no distant date, spring out of their several interests and those of British India.

It is not altogether without interest to remark, that in 1788, the first year of the Colony of New South Wales, when the British in India ruled upwards of fifty millions of subjects, and

passed through their hands goods inwards and outwards to a vast amount, the English in Australia numbered one thousand and thirty souls, the greater portion of whom were convicts; whilst their live stock, destined to figure imposingly in the history of Australian commerce, consisted of two Bulls, five Cows, one Horse, three Mares, three Colts, twenty-nine Sheep, nineteen Goats, besides Pigs, Rabbits, and Poultry in proportion! Amongst the earlier documents connected with this settlement, we find it recorded as a public calamity, that the two bulls, and four out of the five cows landed, had been allowed to wander away from their grazing ground by their convict keeper who had them in charge, and were lost in the woods. This accident, which was at the time regarded as a real misfortune, proved eventually a most fortunate incident, and one which went far to hasten the agricultural prosperity of New South Wales.* Seven years later, when the growing colony, badly off for supplies of fresh meat, was dependent on the salt rations drawn from the government stores, it was rumoured that wild cattle were to be found grazing at no great distance from the settlement. "The reports of the natives led the Governor to send out as scouts, men employed as hunters, to collect fresh provisions for public use, and they discovered feeding on rich pastures on the other side of the River Nepean, still known as Cow Pastures, a herd of sixty cattle, the produce of the five cows and two bulls lost in 1788."

To realize this sight, so pleasant to the eyes of men condemned to perpetual rations of salt meat, rarely varied by fresh pork, the Governor himself set out on an expedition, and tracked and viewed the herd with great delight. An old bull fiercely and obstinately charging, was slaughtered in self-defence; he proved to be of the humpy-shouldered Cape breed of the lost stock, which left no doubt of the identity of the herd, and dispelled the notion of indigenous cattle; the party made a delicious meal, and a few pounds were carried back thirty-eight miles, over a rough road, to Paramatta, the rest being left to the native dogs and hawks, with deep regret, "as meat, fresh or salt, had long been a rarity with the poor sick in the hospital." Many an Australian within the last ten years, galloping through Cow Pastures to purchase the finest cattle at £2 a head, to boil down for tallow, has been reminded of the time when a bit of bull beef, that a well-bred dog would now reject, was a luxury to a Governor and his suite!

These wild cattle were preserved, and increased greatly, dividing into "mobs," each under the charge of a victorious bull, until the general increase of stock diminished their value: many were consumed by surrounding small settlers, and the rest being fierce and

* Sidney's Colonies of Australia, chap. iv. p. 36.

a nuisance, were destroyed by order of the Government, when beef ceased to be a luxury.

About the time these wild herds were discovered, three miserable cows of the Indian breed sold for £189; and two years afterwards, two colonial ships were employed eight months in bringing 51 cows, 3 bulls, and 90 sheep from the Cape, at a cost exceeding the highest price ever paid for the finest short-horns.

The attention of the local authorities was early directed to the subject of stock-rearing and agriculture, and several Governors of New South Wales held out inducements to the better disposed portion of the convict community to give their care to these pursuits. Between the years 1790 and 1800, there appear to have settled in the colony about one hundred free persons, who received grants of land from the Government, to the extent of four thousand acres, mostly close to the young town of Sydney, and of poor quality: these "free soilers" were, however, nearly all ignorant of, and unfitted for, agricultural pursuits, and although provided with tools, seeds, rations and huts at the public expense, made but sorry progress, and failed for many years to carry out the wishes of the Government in rendering the settlement somewhat less dependent than it had been, upon supplies of food from Europe.

Early in the present century John MacArthur, late a Lieutenant in the New South Wales Corps, turned his attention to the rearing of cattle, with more care and industry than had hitherto been the case with the cultivators of those days. He had observed the great improvement produced by the climate of New South Wales in the fleeces of the hairy sheep of India, and was not long in appreciating the value of the district called the "Cow Pastures," on which the long lost herd of cattle had been found feeding. "In 1803, in consequence of grievances of which he had to complain at the hands of the colonial authorities, MacArthur visited England, and there not only obtained permission to purchase a few pure Spanish Merinos from the flock of George III., at a time when the exportation of the Merino from Spain was a capital crime, and the breed was only to be procured by royal favor, but produced such an effect on the privy council, before whom he was examined on his Wool projects, that he carried out to the colony on his return, an order for a grant of ten thousand acres. This grant he selected on the banks of the Cow Pasture River, for he appreciated the discrimination of the lost herd, which had there fattened and increased, while the colonists starved. This spot has since become famous as "Camden" where the first pure Merinos were bred, and the first vineyards planted in New South Wales."*

* Sidney's Colonies of Australia, p. 62.

MacArthur may in truth be styled the father of New South Wales industry: it was his example which turned the attention of Australian settlers to something beyond the production of mutton and beef for the shambles of Sydney, and which in due time made the capital of that promising Colony what we now find it.

Extending from Cape Howe in the South to 26° South Latitude, and westerly from the sea coast to the 141st degree of East Longitude, the Colony of New South Wales comprises upwards of three hundred millions of acres, of which one thirtieth part, or ten millions of acres, had in 1854 been sold by the Crown, whilst of the remainder one-half had been occupied as sheep walks, with or without license. The outside farmers, or "*Squatters*" as they are colonially termed, have however located themselves far beyond the actual limits of the Colony, paying little regard to the Geographical distribution of the settlement, and having in mind only the suitability of the land for their flocks and herds. Wherever a fine tract of pasture, well watered and healthily situated, presented itself to the eye of the nomadic stockman, there would he pitch his tent and feed his herds, whilst a blade of grass remained. Along the larger portion of its nine hundred miles of sea-board, New South Wales can boast of millions of acres of pasture land unequalled in the world, except by that of the sister colonies of Victoria and Van Dieman's Land. Stretching away from the coast to the base, and even far up the slopes, of the many mountain ranges which rear their lofty peaks from the Australian Alps in the south, to the Blue Mountains in the north, we find a continuous run of undulating country, watered by many rivers, and dotted at intervals with the magnificent forests which furnish the Australians with endless supplies of the finest timber for carpentering or ship-building. In many of these sea-board districts the land is very lightly timbered, so lightly indeed, that when the plough is put into it the trees are left standing, and the furrows are simply carried along between them, their shade not being sufficient to cause any injury to the crops.

Not the least valuable of Australian products are its forests. Many of the trees are of huge growth, without a branch from the trunk for fifty or sixty feet. In the north however, the forests contain a very different race from those of the south, partaking more of a tropical character. There, the palms are found in greater variety and of finer growth, whilst the ground below them will often be densely covered with a low thorny brushwood, interspersed with tree-ferns and monster creeping plants, rendering any passage through them quite impossible. Scattered amongst these clustering jungles, are many large tracts

of meadow land of finest quality, dotted over with the picturesque Australian apple-tree.

The Blue Mountains, rising at their greatest elevation to six thousand feet, and running nearly north and south, form a barrier between the prairie land of the sea-board and the vast cattle pastures of the interior, known as the Liverpool Plains, the Darling Downs, and the Bathurst Plains, rich in grasses and gold. Great though the rush to the Gold Fields of Ophir and the Turon has been, it has not in any way injured the farming prospects of the Colony ; on the contrary, cattle rearing and corn growing were never more profitably followed than they have been during the past few years in New South Wales. Blest with a delightfully temperate climate, free from any local diseases of consequence, and devoid of wild beasts or reptiles, the farmer emigrant finds in either of the Australian colonies an admirable field for his enterprise.

There would appear to be something in the pasture and climate of this vast island-continent peculiarly suitable to the growth of wool, since in no part do we hear of the least want of success, though nearly all the sheep farmers of Australia were originally persons following occupations quite opposed to such a life. Sidney, in his book on the Australian Colonies, assures us that :—

“A thriving farm-house will possess as elegant furniture, and as prettily-laid-out garden, as any villa in an English county, with large orchards and vineyards, yielding far more than can be consumed on the spot. A dairy, pig-stye, stabling, and poultry-yard, all impart to the Australian farm, a home-like air of rural prosperity not to be mistaken. It is by no means a rare occurrence for a young man, commencing with a capital of a thousand pounds, to make it ten times that amount in less than the same number of years ; but such can only be accomplished by habits of industry and perseverance.”

We have all read in the journals of the day, how barristers, clerks, University men, sons of noblemen, half-pay officers, &c. &c. to say nothing of sailors, pot-boys and shopmen, have taken to the Bush, and kindly too, turning out first-rate shepherds and stockmen, and eventually becoming well-to-do farmers themselves. In Australia, a man, to make his way, must be prepared to turn his hand to anything : thus says Sidney :—

“The labourers employed on a sheep-farm or “run” are expected and obliged to make themselves generally useful with most tools ; the shepherd becomes a carpenter and joiner ; the drayman adds to his occupation that of wheelwright, blacksmith, and farrier ; whilst the farmer himself generally contrives to handle every kind of tool that is needed on the establishment. Each sheep-walk, in fact, becomes a little world within itself, independent of all external help, save from

the nearest town, to which it looks at certain periods for supplies of European or country-made goods or implements. Some of these farms are hundreds of miles from a town, in which case a journey for supplies is but seldom made, the principal articles being brought up on the return of the drays from carrying the wool to market or for shipment to England."

In Australia, the colonist feels none of the depressing effects of a tropical climate, as is the case in India; for although there are days when the thermometer will range as high in Sydney as in Calcutta or Bombay, they are but exceptions to the rule. The Anglo-Saxon is enabled to put forth his energies to the utmost in the Southern Colonies, and the very circumstance detailed above, of men being compelled to turn their hands to any and every occupation, is precisely one of the principal causes of the astonishing changes worked in the face of that country, by a comparative handful of men. In Australia there are no native customs standing boldly yet sluggishly in the way of improvement; there are no Hindoo prejudices to hurl back the tide of civilization from the west. The European finds an open field, a broad blank, on the face of which he is free to write a wonderful history of Colonisation.

Whilst the Metropolis of British India, and the other capital cities of our Eastern Empire, have all but stood still, and scarcely made a step towards adapting themselves to the advancing circumstances of the times, we have within the few past years, heard how two young Colonies have risen in the South to become important dependencies of the British Crown, whilst Sydney, Melbourne, and Adelaide, to say nothing of a dozen lesser towns, have grown to giant proportions, enjoying municipal institutions, and the colonies themselves have been endowed with electoral privileges, of a character as ample as the prairies forming the green boundaries of those young kingdoms.

From mere wool-growing countries, the Australian colonies have become large producers of many other articles, whilst breweries, soap-factories, sugar-refineries, saw-mills, ship-building yards, and other important establishments, are to be found in their towns. The discovery of gold in the great exhibition year of 1851, within the Bathurst district of New South Wales, has undoubtedly exercised a vast influence on the progress of that and the adjacent settlements. In the first instance, the rush to the Gold Fields alarmed the sheep and cattle farmers, who found themselves left without the labor necessary for securing their crops and tending their herds and flocks. For a time, great and universal was the panic amongst the landed gentry, and at the moment there appeared every probability of a cattle crisis, as ruinous as that of 1841-2, when sheep sold for two shillings a head, and cows for a crown each. It pro-

mised, indeed, to be "much cry and little wool" in good earnest. Fortunately, however, the evil worked out its own remedy: so great was the "Exodus" from all parts, but especially from the mother country, of clerks, shop-keepers, gentlemen out at elbows, &c., who quickly found that "life at the Diggings" was not quite suitable to their tastes or accomplishments, that the vacated posts of shepherds and stockmen became rapidly filled up by volunteers, who would otherwise have starved; as did, alas, but too many in those days.

All our Colonies and dependencies have had their seasons of trial and adversity, though not always from similar causes. Calcutta had its own time of trouble, when the five great houses succumbed to the pressure of the day; and later still, when Joint Stockery ran riot with the substance of the widow and the orphan. Ceylon bowed its head nine years ago before the madness of coffee planting. Our friends in the South Land have suffered quite as severely, though without the bitterness of rascality to deepen their misery. In New South Wales it was purely a commercial crisis; in South Australia it was the Land gambling arising out of the silly "Wakefield system" which for a time paralysed that colony: in Victoria it was the Gold Fever which more recently wrought so much tribulation.

It is within the memory of many of us when a voyage to New South Wales was considered a desperate undertaking, almost equal to plunging into the sandy bosom of the Great Sahara. Much later it required a period of twelve months to receive a reply to a letter written from England to Australia. None but vessels of blemished character were then sent to those colonies: anything, however unseaworthy, was considered good enough for the Antipodes. Now, all this is changed, and probably the finest ships in the world for sailing qualities, equalling even the once famous opium clippers of the East, are employed in the Australian passenger trade.

It is but twenty years since the first settler placed his foot on the rich grassy shores of Port Philip, now known as Victoria. It seems but a short time since we read the first account of that newly settled district as a pastoral country, and for which it is indeed admirably adapted, from its rich pastures and open undulating face. It appears but as yesterday when we watched the first ship depart from England for South Australia, with the germ of a model colony packed up on board, even to a small wooden church, with the pews and cushions complete. Since that time however, huge fortunes have been made in both those colonies by copper, gold and wool. The ancient India with its fabled wealth, grows poor and insignificant by the side of modern Australia. Are not the vaunted mines of Golconda

a miserable failure, after the endless outpourings of the Burra-Burra mines, near Adelaide, which in one season yielded twelve hundred per cent. profit to the proprietary? Had Aladdin's garden more hidden treasures within its bosom than the quartz diggings of Mount Alexander, of Deadman's Gully or of Breakneck Flat?

Incredible as it may appear, it is nevertheless a fact, that in the year eighteen hundred and fifty-three the handful of Australians, scattered over that fifth quarter of the globe, took from the mother country as much of her goods (within a few thousands,) as did the whole of British India, viz. to the value of seven millions sterling, being in the proportion of twenty-eight pounds sterling per head in Australia, and one shilling in India!

Surely the Gold Diggers of the South must be a thirsty race, for we find that in the above named year they took one-half of the total exports of Wine and Beer from Great Britain;—in other words, they absorbed two hundred thousand barrels of strong beer, and nearly one million and a half gallons of wine, all of which it must be remembered was exclusive of spirits, which were taken at the rate of *seven gallons for each colonist!*

These figures, it must be remembered, relate to colonies, by far the larger portion of which were not twenty years old. They have reference chiefly to a settlement whose population had doubled itself in three years, in the port of which there might have been seen at one period not fewer than two hundred trading vessels: where Railroads, Electric Telegraphs, Docks, Wharves, &c., had sprung up with a rapidity that might well make the Calcutta public blush, and where the self-elected legislature had, at one sitting, voted the modest sum of three millions sterling for the year's expenditure of the Melbourne municipality!

The present prosperity of the Gold Colonies, great as it is, has not been achieved without a heavy probation. Homelessness; starvation, misery and beggary have been the trials awaiting the scores of thousands who, for two years after the discovery, literally flooded that land with a mighty human tide. The Backwoodsmen of Canada, the Indigo Planters of Bengal, the Coffee growers of Ceylon, cannot talk much about "roughing it" after the scenes enacted by "fair ladies" and "dainty gentlemen" in the Land of the South.

Here is the Picture of a first night in Melbourne*:—"The room was a large one for Melbourne, and as it lay about a foot and a half lower than the street, the whole surface was literally flooded by the day's rain. This was the lodgers' bed-room. It was full of stretchers, some thirty of them—with blankets, or

* Household Words. Vol. VIII., p. 9.

‘rugs, or other rough covering by way of bed-clothes. Nearly all were occupied, and the men for the most part sound asleep, though it was barely nine o’clock. Many of the beds held two huddled together, and here and there a complicated bundle with feet sticking out, looked like three. In one corner a gruff conversation on the subject of gold scales and weights was going on in an under tone; several lay smoking; others gave an occasional roll and grunt in a drunken sleep, or muttered incoherent imprecations. Scarcely any of them had their clothes off, but I noticed two exceptions—one of a man who had evidently taken off everything but his boots (which clung no doubt from the wet,) and a beaver skin cap tied under his chin; the other displayed a pair of immense legs from beneath his dirty blanket, decked in a pair of scarlet stockings with yellow clocks, a recent purchase perhaps from some clown at the circus at an exorbitant price. Blue shirts and crimson shirts were also visible at intervals, and one shirt seemed to be of some drab colour, with great Orleans plums all over it. A large gold watch with a gaudy chain, was hung upon a nail near one of the sleepers’ heads, and a massive gold chain and seals were dangling over the edge of a quart pot (the watch being safe and softly lodging in the beer dregs inside) standing on the window ledge. There could not have been less than five and forty or fifty people here.

“The room was lighted by one bad candle, stuck in the neck of a beer bottle, placed on a flour-cask near the opposite wall. Its flickering reflection in the dark waters beneath contributed an additional gleam to the comfortable scene around.

“I was standing at this time on a sort of raised step, or threshold formed of loose bricks above the level of the floor, or rather lagoon of the bed-room, considering how I should attain my stretcher. I felt that it would not do to step from stretcher to stretcher, because if I escaped treading upon a limb of any of the sleepers, I might still upset the thing with all upon it clean over; so I deliberately walked through. From the inequalities of the ground, the depth varied from six to twelve or fourteen inches. I mounted my rickety couch—drew off my boots, at the imminent risk of upsetting the concern with my struggles in a seated position, and enveloped myself in the blanket, trusting that my wet clothes would produce a warm steam, on the water-cure principle; before the realization of which, being very tired indeed, I fell asleep.”

Of the misery following in the train of the great Gold Discoveries of Australia much has been written; much more might be told. How many bankruptcies took place in 1854; how many were reduced to beggary, has become matter of history. But so great have been the productive resources of the Vic-

toria Gold Fields that this prostration did not long continue. The elasticity of the precious commodity now forming the staple of the Australian Colonies, enabled them to throw off the temporary evil with a vigor which left scarcely a trace behind, and at the present moment, there is, perhaps, no part of the British dominions where commerce is upon a more wholesome footing.

By the latest returns from the Diggings of Victoria, it would appear that their population amounted to nearly a quarter of a million. Towns had sprung up about their vicinity. Their stores were amply supplied with necessities and luxuries from all parts of the world. The roads were good. The police was well organised. Order was maintained, and trade was brisk and sound, whilst the yields of the auriferous tracts remained in the aggregate as liberal as of yore.

South Australia, the prosperity of which was at one time seriously jeopardised by the rush of its population to Mount Alexander and the neighbouring "Diggings," has long since resumed its former prosperous position, and bids fair to maintain it. The wondrous, almost fabulous, copper mines of the Burra-Burra have gone far to give this colony its present standing, which it has attained, despite the severe trials inflicted on it by imperial statesmen, and theorising political economists.

In all these Colonies, not even excepting Van Dieman's Land, where gold has also been lately discovered, the source of commercial prosperity is to be found, not more in the precious metal, than in the yield of their swarming flocks. The wool of Australia has worked a change in the trade of the European continent scarcely less important than that caused by its gold. Instead of England looking to Germany and Spain for supplies of fine fleeces, the merchants of those countries attend the quarterly sales of Australian wools in London to make their purchases, whilst the quantity of this article annually imported from those colonies into Great Britain, amounts to not less than seventy millions of pounds weight; more than was ever produced by the continental growers of wool in any one year.

Rich as are the lands of Australia, generous as is the climate of the great South Land, it will be long before the colonists can hope to produce a sufficiency of food for all their wants. New Zealand contributes a fair share of vegetable supplies. Java contributes its quota. The western seaboard of Southern America furnishes not a little of the cereal requirements of the colonies; whilst from the United States, and the mother country, vast are the shipments of food to the same quarter. It is to British India however, that Australia should look for liberal and uninterrupted supplies of many of the articles of produce she most requires. Nearer than either the States or England, India can furnish wheat, rice, sugar,

&c., at prices with which scarcely any other country can compete. The coarse but useful gunny bagging of Bengal would appear to be precisely the article adapted to colonial purposes of carriage from the sea ports to the far interior; nor indeed do we see anything whatever to prevent the gunny cloth weavers of India furnishing wool-sacks for Australia of sufficient quality for their trade, and infinitely cheaper than those at present supplied by the Dundee manufacturers. Already the Sydney and Melbourne communities have their factories, their mills and their refineries, but Australian labor is, and will be for a long time, far too expensive an article to enable them to produce all they require as cheaply as they can purchase elsewhere.

Already the trade between Calcutta and the Ports of Australia has assumed an important character. We have seen as many as seven vessels at one time in the Hooghly, loading with cargoes for Australia, commanding a steady and remunerating rate of freight; and at no period of the year are we without traders plying between the city of Palaces and the Gold colonies. It is so far against the immediate and rapid extension of this southern trade, that the Australians have nothing to give us in return, of which we can avail ourselves, except a few cargoes of horses, not always to be spared by them, and some copper. Of their wool and tallow we do not stand in any need, whilst the one precious product of their soil is as a drug in our market. If our merchants take any portion of their gold, it is but for transmission to Europe, where it must be exchanged for silver, to be brought out at some risk and cost, to assume the office in our currency which the more valuable metal may not now perform.

There are many amongst us who can remember the agitation caused in politico-economical circles in England, during the first years of the great gold discoveries in Australia, as to the probable effects of the sudden influx of the metal upon prices and exchanges. A revolution in the commercial world was predicted, which should shake trade to its foundation; and many were the plans devised for obviating the much dreaded evil. We have seen but a few years roll over us since these gloomy predictions were made, yet we have outlived them all, and witnessed not only a steady absorption of the precious metal throughout Europe and America, but a great decrease in the stock of gold in the Bank of England.

If, as we have recently seen, a gold coinage is preferred for public convenience, in densely peopled countries, where communication from one part to another is at once easy and rapid, surely we are justified in believing that in a vast country such as India, with the means of transport limited, and with trading communities separated from each other by long and costly journeys, a

similar addition to our currency, an adjunct rather than a displacement of our silver coinage, could not fail to prove of great commercial utility. With the growing feeling in favor of a decimal coinage in all parts of the world, public opinion points to the sovereign and half sovereign as admirably suited to the requirements of the day in this country. Whilst greatly aiding the growth of commercial enterprise in India, the adoption of a partial gold coinage, made a legal tender at all Collectorates and Government Banks, would tend to foster the infant trade between the Presidencies and the Southern Colonies.

Native prejudice, so often made a bugbear in the way of social improvement, must not be brought to bear against the partial adoption of the use of gold. It might indeed be otherwise, were silver attempted to be de-nationalised, but not in the case we are supposing. Native prejudice is, we suspect, more frequently imaginary than real, and is doubtless frequently employed as a stalking horse by timid men, of whom there has ever been a plentiful crop in India. We should perhaps be nearer the mark were we to speak of European rather than native prejudice in this and many other matters. We venture to predict that, so soon as a recognised gold coinage shall be issued for the Indian presidencies, there will be abundant employment for it;—native merchants will be amongst the first to take advantage of the new coin. It was urged as an argument against the adoption of railways in India, that natives could never be induced to travel by any such novel means of locomotion; that time was of no moment to them; that they would not pay the railway charges; with many other reasons equally opposed to their adoption of steam travelling. The working of but a fractional portion of the East Indian line in a very few months afforded a decisive and practical refutation of these confident assertions. It has been the same with the Electric Telegraph.

In like manner shall we live to see the native community of India availing themselves of a more suitable coinage, whenever our lethargic government can be induced to make the necessary effort. There is not, indeed, the shadow of a reason for not trying that which we believe can scarcely be termed an experiment. Even did it not succeed to the fullest extent anticipated, were its advantages appreciated only by the European community, there would still be sufficient apology for the trial; and those officials who fear or doubt the result, do but help to strengthen the impression rapidly gaining ground, of the necessity for some infusion of new blood into our administrative departments. Those who will attempt nothing can achieve nothing, and are without value.

The re-establishment of steam communication between this country and the Southern colonies must be hailed with satisfaction

as one sure means of advantage to both. No trade can be long maintained between any two communities without a fixed and easy mode of correspondence. The post office is the right hand of trade. Paralyse the one and you maim the other. As the one becomes active, so does the other increase in vigor. Australia, in gaining steam communication with India, becomes united with Singapore, China and other parts of the East, with all of which she cannot fail to have intercourse in trade.

To India there will be yet another advantage gained by the establishment of a mail steam packet line hence to Australia ; inasmuch as it will afford a sure and ready means to invalids of obtaining change of air, in a country nearer, and with a climate more congenial, than that of England. Nearer as to time than the Cape, a visit to Adelaide or Melbourne would often render a longer and more costly journey to Europe unnecessary.

Regarding the Colonies of Australia from whatever point of view we may, we cannot fail to perceive how much of mutual interest is bound up in their position and that of India. We cannot indeed separate the interest of any portion of the British Dependencies from that of others : they form but parts of a great imperial whole, equally demanding the fostering care of the parent state ; no advantage accorded to one should be denied to another, if compatible with local and imperial interests.

British India has before it a brilliant future, that may eclipse the glories of Tamerlane or Akbar ; Australia can point to no past ; it has posterity alone to think of. Its bye-gone history is written on the sands of its mighty deserts, by the naked feet of the savage and the kangaroo. Its present tells surely what may yet spring from it. A great and prosperous branch of the Anglo-Saxon family shall, in the far regions of the South, work out the destiny which in the East and West, their brethren are so well accomplishing. The Sun, which never sets on the British rule, shall witness no falling off from their sure and onward course.

- ART. V.—1. *Commercial Products of the Vegetable Kingdom*, By J. F. SIMMONDS. London, 1855.
2. *Coffee Planting in Ceylon; Past and Present*. Colombo, 1855.
3. *Cheap Coffee and Cheap Government. A Letter to Earl Grey, H. M. Principal Secretary of State for the Colonies*. By ISAAC TOMKINS OF PASBAGE. Ceylon, 1848.
4. *The Journal of the Indian Archipelago. Culture of Coffee in Java*.
5. *State Papers*. By various GOVERNORS OF NETHERLANDS India, 1750-80.

THE Legislative Act by which the British Parliament decreed the abolition of slavery in the Colonial possessions of England, led to more important results than were anticipated by the principal agents in that great struggle for human freedom. The British West Indies, once the source of so many noble fortunes, and the chief supplier of England's wants in most articles of Tropical produce, have almost ceased to attract attention from the commercial world. First Indigo, then Cotton, ceased to be articles of produce from those once fertile islands. In more recent days we have seen Sugar and Coffee disappear from many of those colonies, becoming commercial myths in their history,—whilst their ports are unvisited, their fields neglected, their local Governments frequently bankrupt, and the descendants of the princely West India Proprietors may not unfrequently be found dwellers in some rustic union, or some suburban alms-house. Even the "West India Docks" are diverted from their once busy purpose. They no longer contain fleets of Sugar and Coffee laden vessels. Their rusty cranes, their grass-grown pavements, their desolate ware-houses, tell the same tale of shattered fortunes, of ruined trade, and are visited by straggling craft from all the odd corners of the world, certain of finding a welcome within the mouldy precincts of that waste of brick and water.

Revolutions such as these are ever instructive, and should serve as beacons to those political-economy pilots who may attempt hereafter to steer the bark of the state into unknown ports. It is our *present* purpose, however, to treat only of the article Coffee; pointing out the course of events which led to its extended culture eastward of the Cape of Good Hope, glancing at the success it has hitherto encountered, and examining the grounds which exist for looking to British India as a field for the profitable cultivation of the berry. Of Sugar we may possibly have something to say in a future number: the subject is not less sugges-

tive, and perhaps even more important, as affecting British industry and British capital.

Coffee, originally an article of Eastern growth alone, became a product of considerable importance and value to England in her West India Islands, where, and in Java, the bulk of the then Coffee produce of the world was raised. The Dutch, at all times anxious to encourage agricultural and commercial progress in their Colonial possessions, though not always adopting the most enlightened mode of effecting the object, shewed not a little anxiety to foster, by every means in their power, the growth of this favorite berry. Whilst the cultivation of cinnamon, cloves, and nutmegs was especially, and by law, confined to particular islands, under the most severe penalties, coffee was permitted to be grown throughout all the Dutch possessions in the East. A Dutchman who should have dared to grow a single nutmeg plant out of the prescribed limits of the Eastern Archipelago, or to produce cinnamon elsewhere than in Ceylon, would assuredly have been hung, drawn and quartered, as a terror and warning to all rash speculators in those parts. On the other hand the Dutch Governors of Ceylon had, from their earliest possession of that fertile island, endeavoured to foster the production of coffee amongst the Singhalese villagers, by offering to take the berry from them at certain fixed rates, in payment of tithes and taxes.

We learn from a Memoir left by Governor Schreuder in 1762 for the guidance of his successor, how long and unceasing had been the efforts of the local authorities in this direction. "Coffee," says this State Paper, "is a cultivation to which the natives had been with great difficulty induced to attend—and unfortunately when at last, in 1739, we had brought matters so far as to obtain from this island 10,000 lbs., the supply from Java and the West Indies became so large that our prices here could not be maintained, and we were forced insensibly to let this article of produce slide from us—or at least not to urge it on the natives in any manner whatever—in fact we reduced our cost prices from 5 to 2 stuivers, which was scarcely a rate to give compensation for the trouble of growing Coffee. The disturbances at Java, however, have had a bad effect on their cultivation, and we have been ordered again to encourage the growth here, and to receive all that is offered us for purchase: this state of things should be kept up, at least we should never have in store less than what is sufficient for one shipment."

In spite of the constant endeavours to promote this cultivation, the Dutch Governors do not appear to have met with much success: for on the capture of Colombo by the British at the end of the last century, the total produce of the island amounted

to not more than a few thousand bags. In a paper drawn up by an ex-official of the local Dutch Government, for the information of Sir Alexander Johnstone, we learn that the coffee of Ceylon was considered superior to that of Java or Bourbon, and approached more nearly to that of Mocha, whence the first plants were brought. It was matter of complaint that the Singhalese did not attend to its culture, but contented themselves with picking up the fruit as it fell from the trees in their wild state, which consequently produced but half the quantity of those in other places. The same "Memoir" states that Ceylon did not yield more than 25,000 pounds weight of coffee, though it was deemed capable of producing ten times that quantity under the supervision of experienced hands. We have lived to see it export in one year 500,000 cwts.

The prosperity following on the heels of peace, which acted as a spur on most branches of trade at home, was felt equally in the increasing consumption of such articles as sugar, tea and coffee. The abolition of slavery in the West India Islands brought about a complete revolution in the industry of those colonies. The impression, so strong in England, that the Negro would work with greater alacrity when free than when in bondage, was doomed to end in disappointment. The emancipated slaves ceased to become laborers on the estates, preferring the idleness and ease of a squatting life to the steady toil of a hired servant; and thus the production rapidly declined in those islands of the west, which had once supplied England with all she needed.

Between the years 1830 and 1835, the coffee produce of the West India Colonies had fallen below the annual consumption of Great Britain, and in the latter year it was actually seven millions of pounds short of the quantity required. Necessity then compelled the Home Legislature to do an act of bare justice to British India, by consenting, in self-defence, to admit coffee, the produce of British territories in the east, at a rate of import duty similar to that levied on the article from the West Indies, viz., six pence a pound, in place of nine pence, which it had previously been subject to, and which foreign coffee still had to pay on importation into Great Britain.

The capabilities of Ceylon as a coffee producing country attracted the attention of the then Governor, Sir Edward Barnes, who was soon followed in his experiments by a few enterprising civilians and merchants. In 1837 several plantations were formed, which in a year or two gave indisputable signs of success. Prices rose at home, in consequence of consumption oustripping production, and when in 1842 an additional penny protection in the import duty was accorded British Colonial coffee over foreign, Ceylon rose rapidly into importance.

MARCH, 1857.

The rush to the jungles of Ceylon at that time was, on a reduced scale, what the rush to the Diggings was in 1851. The following list of Crown Lands sold for the purpose of coffee planting at that period will bear witness to the eagerness with which capitalists and speculators entered this new field of Colonial industry :—

In 1837	the Government sold	3,661	Acres.
„ 1838	.....	10,401	„
„ 1839	.....	9,570	„
„ 1840	.....	42,841	„
„ 1841	.....	78,685	„
„ 1842	.....	48,533	„
„ 1843	.....	58,836	„
„ 1844	.....	20,415	„
„ 1845	.....	19,062	„

Isaac Tomkins (the *nom-de-plume* of a Ceylon merchant and planter) tells us how, when he landed in the island in 1841, all was *couleur de rose*, or rather *couleur de cafe*, with the berry selling at home for ninety shillings a hundred weight, and Crown forest land eagerly bought at £5 an acre.

The coffee mania of that day, so freely shared in subsequently by Bengal civilians and professional men, is thus described by *Isaac* :—

“He was a miserable man who could not talk of his land. From the then Governor down to the native cutchery clerk, all could lay their fingers on the map of *Ceylon*, and say ‘there, just between those mountains’ or near the bend of that river ‘lies my coffee estate!’ A new comer might have called to pay his respects to the head of the Government, and before he had been five minutes with His Excellency, the topic would have turned to Coffee and the land in Ambegamoa.

“You might have looked in at the Treasury, and you would have found the Honorable the Treasurer of Ceylon trying to rub the silver skin off a few berries of the maiden crop from his estate in the Ambegamoa district.

“Had you called on the Auditor General, you might have seen him deep in the intricate mysteries of—not the Colonial accounts, but—the check roll of coolies on the ‘Pea-berry estate.’

“Had you looked in at the Commissariat, long would have been the consultation as to the Bandy hire of rice to the Parkeville estate near Kandy. Peep in at the Colombo Post Office at about 4 p. m.; the Kandy mail is just in, and the letters are sorting. See how anxiously the Post Master dives amongst the motley heap. At last he has it—the weekly report from his Superintendent.

"At the office too of the Commissioner of Roads, you would have found that functionary busily occupied on one rash undertaking, the great Ambegamoa Road that was to pass close by his own estate, and those of his brother civilians, at a cost of £40,000. In a basket under his desk, covered with official dust, are heaps of estimates and letters touching lines through other districts, all endorsed 'for future consideration.'""*

The disasters of the years 1847 and 1848 are still fresh in the recollection of our readers. Ceylon planters felt the shock, and for a time were unable to stand the effects of low prices and ruined credit. Isaac Tomkins draws a sad picture of the condition of many in that island. "I would," he writes in bitterness of spirit, "that some of the Manchester politicians could see a few estates about here: the bungalows with their broken doors and windows; the once neatly trimmed rose-hedges smothered, like the former hopes of the proprietor, with rank weeds: the paths over-grown with grass: the little flower garden that the wife was once so fond of, trampled down by buffaloes: the jessamine arbor, in which the planter had so often sat playing with his children, half torn down, half hidden by jungle, the resort of wild animals. And where is the planter-proprietor and his family? He is getting jungle-fever and £5 a month on an unhealthy but paying estate: his wife and family live, or rather exist, on the charity of friends, for fortunately, My Lord, we *have* some friends *out here*—there are no Manchester manufacturers in Ceylon."†

It was indeed a hard struggle for the island planters. Several of the leading mercantile firms suspended payment: and on nearly all estates cultivation was quite lost sight of:—

"Disaster followed disaster; mortgages were entered up every where; the local journals teemed with advertisements of fiscal sales, and auctions of bankrupt estates; no description of property was exempt from the depreciation in value which ensued. Estates changed hands for a few hundreds, on which thousands had been lavished. Few were thought to have bargains who received back estates at the amount of their respective mortgages, and it was very few estates indeed that did not leave the hands of their original owners before the end of 1849. In Colombo house property fell in value, and many of the Portuguese and Dutch descendants, who had imprudently built and mortgaged, and mortgaged and built, were greatly impoverished. Importers of goods suffered severe losses by the numerous failures of native dealers, and by the large quantities of miscellaneous goods, which they were compelled to sacrifice at auction in order to dispose of. In the mean time the value of produce had fallen in the London

* "Cheap Coffee and Cheap Government," page 7.

† Ibid, page 5.

market below its legitimate value. And both for native and plantation coffee the depreciated return on the annual crop could not be less than half a million.”*

But when things are at their worst, they must soon mend, and so it was with the Ceylon planters :—

“The end of 1849 and the beginning of 1850 began to indicate greater confidence in commercial feeling. Imports revived, prices for produce improved, and a more healthy system on plantations had produced results which materially assisted to commence the removal of the general distrust in coffee planting; though it must be observed that there were some whose estimate of coffee planting from the commencement had undergone no change. They had ever insisted upon economy, though the usages around them had opposed their practice, they had perceived the impending ruin, as the necessary consequence of a system pursued in defiance of all business principles, and were quite prepared to hail the general improvement, whenever circumstances should drive the majority into an acknowledgment of a proper system.”†

During the coffee panic a few men of experience, having both capital and confidence, became the purchasers of estates at almost nominal figures. Plantations in full bearing—though overgrown with low jungle, were sold for less than the original cost of the land, many of them too with extensive works upon them erected at a heavy outlay. Two estates in Badulla, of 350 acres of three-years-old coffee, and which had cost £10,000, were sold for £350. Another plantation in the Dolosbagie district of 100 acres was sold for £105; having cost the proprietor £4,000. The Hindogalla estate had cost £15,000, but in 1849 realised only £500. Whilst the Moorootie estate sold for £700 after an expenditure of £9,000. These two latter, however, could scarcely have been worth the sums they realised, the selection of the locality having been bad, and the soil wretched in the extreme. In most cases the first crops covered the cost of these purchases, the home market rallying after the extraordinary depression of 1848, and in the course of two seasons affording prices which, with the economy forced on the planters, enabled them to work through their difficulties, and eventually place themselves in a most excellent position.

Short crops, the result of neglected cultivation on so many properties, helped in no small degree to bring about a more healthy state of the European markets. The following statement shews the gradual but marked effect, first of want of cultivation, and afterwards of care and skill in the management of the Ceylon estates.

* Coffee Planting in Ceylon, page 21.

† Ibid, page 23.

Coffee shipped from Ceylon during the following seasons :—

	Cwts.
1848-49 Plantation Coffee	210,633
Native ditto	121,215
	331,848
1849-50 Plantation Coffee	230,866
Native ditto	99,071
	329,937
1850-51 Plantation Coffee	197,636
Native ditto	90,274
	287,910
1851-52 Plantation Coffee	155,386
Native ditto	152,621
	308,007
1852-53 Plantation Coffee	208,658
Native ditto	115,451
	324,109

From this period the production of this island has continued to progress steadily, until in last year, the crop amounted to cwts. 500,000, the chief increase being in the yield of plantation crops, arising partly from the formation of new estates, but principally the effect of skilful cultivation and the liberal application of manures.

The author of "Coffee planting in Ceylon" tells us in regard to manuring on Coffee estates that "there are many difficulties to surmount in this operation, owing to the localities of coffee plantations, though there can be no doubt that as facilities are discovered in practice, the returns obtained from plantations will richly repay all this by a high standard of bearing, to which we have been hitherto strangers. Cattle manuring is the most generally available; the cattle being stalled on guinea grass, planted where the elevation of the plantation will permit it, or on Mauritius grass, which is planted in the ravines amongst the coffee; thus at the same time yielding a profit, and keeping weeds out of places where they are apt to grow. Pigs are also kept, and the pulps of the coffee are

' added to the fertilizing mass; indeed, rotting wood, weeds, burned Dolomite, and anything which will produce ammonia, is now taken care of on the estate. The economical application of the enriching compost requires it to be carried out by hand, and each laborer is made to take out a basket as he goes to his work, which a few men are employed afterwards, with mamoties, or forks, in burying around the roots of the trees.

"The whole of an estate has only in one instance within our knowledge been manured at one time, and it is seldom required. In a few years we expect to see manuring so systematically managed, that every part of the plantation will be brought under its operation every second or third year, and on this we base our expectation of a continued and increasing production from the estates already formed, far exceeding any returns we have hitherto seen. The estate which was wholly manured, without limit as to expense, has amply returned the outlay by a production of about 20 cwt. to the acre; lime, cattle manure, and mould from the neighbouring forest, were used in a compost, and the soil turned up every where round the plants, to apply it." *

Amongst the many improvements introduced into Ceylon cultivation during the last few years, may be mentioned a magnificent set of water-works, erected by the late Mr. Morton, and his partner Mr. Tytler in the Vale of Doombura, for irrigating the Rajawella estate from the Mahavilla Ganga. The plantation to be thus watered contains about seven hundred acres of coffee: the land is fertile in the extreme, but subject to frequent severe droughts, which by means of this mechanical contrivance will no longer be feared. The works are completed, and were tried a short time since with perfect success: and there is no doubt but that the outlay will soon be amply repaid in heavier crops.

At the present moment there are at least thirty establishments in Colombo for the preparation and shipment of coffee, the greater portion of which goes home in casks. The number of persons thus employed, from the reception of the berry from the estate in the damp "parchment skin," to the final shipment of the cured bean, cannot be fewer than twenty thousand, of whom by far the larger number are women.

We cordially agree with the opinions of the author of the pamphlet under notice when he says:—

"As these improvements in cultivation are perfected, we look for a large increase of production every where: influence of seasons there will be, but we shall no longer, in any case but the most neglected plantations, see the crops alternate yearly as with the untended

native trees, the full production of one year exhausting the plant for bearing in the subsequent season. On the contrary, with a judicious system of pruning and handling the trees, so as to bring forward an annual supply of new bearing wood, and supplying the exhausted energies by manuring, we look for a large average yield, and consequently an aggregate export far exceeding any prospective calculation yet made. High cultivation, we hazard nothing in affirming, will prove the most profitable cultivation, and this will lead to an extended cultivation. We fully expect, should peace in Europe be maintained, and no destructive mania suspend credit, that the cultivation will rapidly increase, that the new systems will enable so much more land to be brought under coffee than was formerly considered suitable for planting. New roads will have rendered more land accessible, and the large clearances made in the forest at the high elevations, will probably so improve the climate of those localities, that a still further addition to the available land will be obtained. It is therefore not too much to expect the export, which has already exceeded 400,000 cwts. will be ultimately more than doubled; and probably, before a like period as that we have been reviewing has passed away, 1,000,000 cwts. of Ceylon coffee may be poured annually into the markets of the world."

Such then has been the career of Ceylon in the production of coffee. The Dutch, whilst accomplishing so little in this island, where so much has since been done, met with more success in Java, which to this day is one of the principal coffee-producing countries of the east.

The cultivation of the plant was commenced in January 1723 by the Governor-General of Batavia, who spared no pains to induce the inhabitants of the rural districts to propagate the berry and prepare it for market. By dint of a lavish outlay in the first instance, and afterwards by means of immunities and premiums, aided by climate and soil admirably adapted to the culture, the Dutch Government succeeded in their object, and rendered the export of coffee from Java a most valuable branch of the local trade.

From the early period we have indicated to the end of the last century, the progress made was not nearly so rapid as during the last thirty years, when the produce of this island has reached nearly a million hundred-weights. M. Munnick, the Inspector General of Agriculture in Batavia, in a paper on the subject, states that coffee was produced in twenty different departments of the island, giving occupation to nearly half a million of persons, and that there were ten years ago 350 millions of trees in the island.

The soil and localities selected for coffee cultivation in Java appear to be precisely those chosen in Ceylon: fine loamy forest land, situated on the slopes of mountain ranges, at an altitude

ranging between one and four thousand feet. The modes of culture followed in the islands differ very materially. Whilst in Ceylon nothing in the first instance is needed beyond felling and burning the forest trees, and planting the young coffee seedlings at regular intervals in spacious holes between the huge stumps left to rot in the ground;—in Java, after the ground has been thoroughly cleared from jungle and weeds, the whole has to be ploughed three or four times, and eventually rolled or raked smooth previous to being planted. Shade, which has been for many years quite abandoned on coffee plantations in Ceylon, is stoutly maintained in Java; the same care in the after cleansing of the planted land is observed in both islands. But whilst the Ceylon planters have availed themselves of every possible improvement in the cropping and growing of their coffee, by the use of valuable machinery and carefully arranged stores, the Javanese grower is content with the rude contrivances which satisfied his ancestors in 1723.

Coffee is produced in Sumatra and Celebes, the former exporting about 50,000 cwts. and the latter about 15,000 cwts. annually. The produce of Celebes is very highly esteemed in Holland, where it commands a better price than the finest Java sorts; this too in spite of the rudest culture, and a mode of preparation of the berry far more primitive than that adopted in Batavia. The entire quantity, which appears to have remained stationary for some years past, is taken by the Government from those who grow it at certain fixed rates, and by them shipped to Europe.

A small production of this berry takes place on the elevated lands of the eastern coast of Siam, amounting until recently to not more than a thousand cwts. yearly. The quality has been approved in the English and some of the continental markets, where it is thought to approach more nearly than any other description to the Mocha berry, in appearance and flavor. The cultivation of the Siamese plant is being gradually extended, and now that the rulers of that country are pursuing a liberal and enlightened policy, in regard to internal industry and improvement, and external trade, it is not too much to expect a considerable increase in this article of its produce.

Penang supplies a small quantity of rather inferior coffee to the markets of the world, but there is no reason to doubt its capability of furnishing a much larger quantity of a good article, if sufficient attention were bestowed upon the cultivation.

The islands of Bourbon and Mauritius furnish a considerable quantity yearly, especially the former; the bulk of its crop being shipped to France, where, however, it is being rapidly supplanted by the produce of Costa Rica and Ceylon.

Of the coffee culture of the Tenasserim provinces we are without any reliable data. Mysore has for a long period furnished

an article which has gradually grown into public favor in England at a medium value.

The coffee of Travancore sells in the London market at about the rate of ordinary Ceylon plantation kinds, but the produce of the Neilgherries bids fair to rival some of the better qualities of that coffee.

It is now about twelve years since the slopes of the Neilgherries first attracted attention as suitable for the growth of coffee. The altitude, the soil and the climate were highly reported upon by such of the Ceylon planters as visited the early clearings about ten years since. Labor is most abundant and cheap, and the land, although not to be bought, is obtainable for long tenures on very favorable terms. Some of the sites selected turned out unfortunate, as might have been expected, in the first instance; but experience has now enabled the planters to proceed with far greater certainty, and the result of late gatherings shews that success is all but complete. Here, as in Ceylon, the planters have the choice of a great variety of altitudes and aspects, so that if a due supply of moisture at the periods of blossoming and ripening can only be secured, they have little to fear. Transport of crops from the estates to the sea-board has been a source of some difficulty, but even this is gradually disappearing, and at the present moment we are assured the planters of this part of the Peninsula can place their produce on board ship at a less cost than can be done in Ceylon, where the transport of coffee from the Central Province plantations to Colombo averages a higher rate per cwt. than the freight to London or Liverpool.

In Lower Bengal the cultivation of the coffee plant has within the last few years made some progress, and contrary to the expectation of very many who were entitled to speak on the subject, it has proceeded with highly satisfactory results. In all the coffee-producing countries of the east, and in most of those in the west, the berry is produced on land more or less elevated, at an altitude rarely less than one thousand feet, the average being certainly two thousand feet above the sea-level. There is a little coffee produced in one district of Ceylon where the altitude does not exceed nine hundred feet, but this is a very rare exception to the general rule. The two localities in Bengal which have thus far proved favorable to this cultivation, are not more than two hundred feet above the level of the sea: the one at a distance of about two hundred miles to the north west of Calcutta, the other scarcely more than eighty miles from the capital in an easterly direction.

This latter, planted under the eye of a gentleman practically acquainted with the Ceylon and West India modes of culture, consists of a fine vegetable mould, on which trees of large growth have been found, together with a rich vegetation of jungle plants.

The system pursued has been that of the Ceylon planters, with one or two trifling modifications. The estate, which is of about one hundred and twenty planted acres in extent, contains some thirty or forty acres of plants now in their third year, wearing a most luxuriant appearance, and bearing what promises to be a heavy crop. These plants gave a small first picking in their second year, a result of which we have never heard a parallel. The berry attains a medium size, short but well-grown, with a good proportion of pea-berry.

A few sample bags were shipped during last season, and being favorably reported upon, realized fifty-four shillings in Mincing Lane. The proprietor estimates that he can place his crop on board ship at Calcutta, not costing him more than six shillings per cwt.; but this must of course depend mainly on the average extent of future crops, to pronounce an opinion on which would, we think, be rather premature at the present time. It is true the plantation is well situated for irrigation, being close to the banks of a fine river, which advantage may in a great measure compensate for occasional insufficiency of rain at critical periods; but it remains to be seen if the forcing nature of the climate of Bengal will enable the coffee plant to yield full crops during a succession of years. At any rate the prospects are most encouraging for the proprietors, who can well afford to have a certain proportion of light coffee, whilst the efficacy of manure added to irrigation has yet to be tested in this locality.

The plantation formed in the Hazarebaugh district, at a greater distance from Calcutta, promises equally well as regards quality. The distance to be traversed with the crop is greater, but it is within reach of the railway, and in a district where labor is at once easily obtained and cheap: it is situated at a somewhat greater elevation than the first-named estate, and the berry gives promise of a bolder sample. It is now in its second year, and giving a maiden crop. Whether other localities in British India may be found more suitable for the growth of coffee, and at not too great a distance from a port of shipment, has yet to be seen. There is land enough and labor enough in many directions; it has but to be seen if India can produce coffee with more advantage than other commercial staples. Without a doubt there are abundant means of remunerative employment for all her people and all her land, if justice be done to the country by greater security being afforded to capital, and if more ready means of communication be found between the plains of the South and the Delta of the North-west.

It may interest many of our readers to learn the present actual yield of the coffee-producing countries of the world, and on referring to the statement below, to remember that at the close of the last century, the only varieties known in the Lon-

don market were those from Jamaica, Grenada and Mocha, the consumption of the United Kingdom being, at that time, about one million of pounds annually. On the continent of Europe at the same period, the varieties from Mocha, Brazil, Bourbon, and Netherlands India were alone used.

The following is about the present production of coffee throughout the world :—

IN THE WEST.

Brazils	300	millions of lbs.
La Guayra and Porto Cabello	30	"
St. Domingo	32	"
Cuba and Porto Rico	25	"
Costa Rica	10	"
British West Indies	6	"
French and Dutch ditto	6	"
		409

IN THE EAST.

Java	140	millions of lbs.
Ceylon	56	"
Indian Peninsula	6	"
Sumatra	5	"
Arabia	3	"
Philippine Islands	3	"
Celebes and Siam	2	"
		215

Millions of lbs.

 624

The present consumption of the world, excepting of course the countries of production, is stated to be as follows :—

	Millions of lbs.
United States and British America	170
Holland and Belgium	125
German Customs Union	95
Other German States	46
France	33
Great Britain	32
Sweden and Denmark	20
Mediterranean Countries	20
Spain and Portugal	15
Switzerland	13
Russia	12
Australia and Cape of Good Hope	6

*587

* Simmond's Commercial Products of the Vegetable Kingdom, page 42.

We have reason, however, for doubting the accuracy of this statement, and have no hesitation in saying, though we have not the figures at hand to support our opinion, that the present consumption of the world is in excess of this statement of the production. Were it not for the excessive use of chickery and other substances in Great Britain for the purpose of adulterating coffee, there would be a further quantity of twelve thousand tons to add to our estimate of the total consumption of the world. There is little doubt of there being an abundance of good land in British India, in suitable localities, capable of producing an excellent quality of coffee, at very moderate prices, and in sufficient quantity to restore the balance of production and consumption to the safe side for the consumer.

ART. VI.—1. *Modern India.* By GEORGE CAMPBELL.

2. *My Note Book.* By H. C. TUCKER.

WHEN Shakespear made Juliet ask "what's in a name?" he probably had little expectation that he was exposing himself as a mark for all the slings and arrows of young periodical writers during succeeding ages. It was the intention of "the immortal William," doubtless, to supply an ardent girl with a futile but touching argument, which might indeed be aptly used against the father of a fair De Mowbray who should be wooed by a gentleman with such a patronymic as Hogsflesh; but hardly as a reason against changing an unmeaning or an erroneous appellation—as for instance the title of an office. From such a source great inconvenience may often spring; and has sprung too before now. The term "Collector" for instance suggests to the mind of an untravelled Briton, a seedy gentleman with an inkhorn at his button-hole, or at most a portly, but otherwise unimportant being of the species Lillyvick described by Mr. C. Dickens. The word "Magistrate" again, conjures up a vision of capon-lined squire or parson, who sits in his study, or in the parlor of a public-house; Burn's Justice at one elbow, and a sharp clerk at the other, to punish Scroggins for poaching; or perchance a bald and gownless barrister in a stifling first floor room in London, trying voluble Irishwomen and extortionate "cabbies." What wonder if the British public should be a little subject to complacent error or wild confusion, when they hear that the Government of India is administered, in the provinces, by "Collectors and Magistrates!" It is true, for the further bewilderment of our home-friends, that in some portions of our empire these offices are as yet distinct, while in others the whole work of the country is administered by a Deputy Commissioner. But the whole thing is, and must be a mystery, unless the proper key be at hand: and we hold ourselves justified in using the subject of our present paper to supply that key; for the double reason that, while the Agra sub-presidency is that in which the office of Magistrate-Collector has worked longest and best, it is believed that the time is not far distant when the same system will be extended to the whole empire. The result of Mr. Ricketts's enquiries will not, let us hope, be confined to the simple statesmanship of reducing salaries; a body of information, such as he is said to have collected, will no doubt bear further fruit, in shewing the best working arrangement, and inexorably pleading for its adoption.

The civil organization to which we refer has grown slowly

out of that tentative process so familiar to the student of English History. The following extract from Mr. Campbell's work will shew the first attempts of the kind. He is speaking of the measures of Mr. Hastings :—

“ The country was divided into districts, in each of which a European functionary presided, and was vested with powers in all departments, fiscal, magisterial and judicial. In the departments of revenue and civil justice, he was assisted by a native dewan and establishment, and was empowered to refer petty civil suits to Zemindars and head-farmers. In the Criminal department he exercised a general supervision as Magistrate over the district Zemindars (who were intrusted with police powers) to see that they did their duty, and that criminals were properly tried. Criminal trials were conducted by Mahommedan law officers, and according to Mahommedan law.”

This system failed. The natives did not work well with their European colleagues; and the personal interposition demanded from the Governor-General was more than he had leisure to bestow. Clearly some other plan must be tried. Accordingly,

“ Criminal justice was placed under a native superintendent; and to each district was appointed a native Magistrate, with a regular Police establishment. * * * * Civil justice was again intrusted to natives.”

This system answered worse than the other.

Single European collectors were next sent forth (1781). “ charged with the revenue management ” of districts; while separate European officers were nominated to the combined office of “ Judge and Magistrate in each,” who “ superintended the administration of civil justice and the Police : but the Mahommedan law officers were still the Criminal Judges.”

All this fermentation was, however, to settle. Lord Cornwallis, the first Governor-General empowered from home on the system now in force, revolutionized the civil administration. Under a clause in his commission he united the fiscal and judicial functions in the same officer, and they remained united for some years. Nevertheless, he seems himself to have severed them; and no great change again took place till the time of Lord W. Bentinck. Nor was much needed: the executive officer indeed was still too much confused and blended with the Judge; and the complete centralization of executive authority within the district, so suitable to native notions, was not realized. Worse still, the natives themselves were scarcely at all employed in posts of trust. All that is meant is this; that the principle of European control and Asiatic agency was asserting itself, leaving matters of detail to be adjusted as occasion might suggest or demand. The country was divided for executive purposes into a

number of arbitrarily bounded districts, the average dimensions of which are shewn in the subjoined table by Mr. Campbell:—

Presidency.	Area in square miles.	Population.	Land Revenue.
Bengal	3,200	1,000,000	£ 103,000
N. W. Provinces	2,300	730,000	130,000
Madras	6,500	800,000	165,000
Bombay	4,200	600,000	160,000

These districts, in the two last named presidencies, had for some time been administered by one common head as Magistrate and Collector; and the union of offices was now to be introduced into the North West by Lord William; who at the same time made over almost all original civil jurisdiction to the natives; employing them moreover as assistants to the district-officer both in criminal and revenue matters; while he likewise introduced into the Sessions Courts certain reforms to which we need only allude.

Henceforth, as Mr. Campbell tells us, the North West is organized on the principle of uniting in one individual all the executive representation of Government. The idea supposed to be realized is thus developed by him:—

“The Magistrate and Collector is a sort of local Governor, and has a great advantage in his management from the combination of powers. He exercises an extended superintendence over his district, a great deal beyond what his simple name implies, and the people look to him as their immediate ruler.”

He is a kind of mixture of Punch and Providence, it appears; omnipresent, with a turn for everything; often intervening to cut knots which no less dignified hand can loose; no less frequently dealing distress all round him with indiscriminate activity; trusted, as our enquiries may presently shew, in many

matters where his caprices can be very injurious, fettered in others by a Procrustean central system which hinders him from doing good ; yet, in the main, grappling, like a good Anglo-Saxon, with the duty nearest him, and altogether, an indispensable kind of monster.

At length, therefore, we are come to the existing state of things. Each of the Zillahs or Districts, corresponding, it may be roughly said, to an English county, is under the general control of an officer, whose judicial powers extend from the ordinary correctional functions understood by the word "Magistrate" (in its more restricted sense) to imprisonment for three years : who as "Collector" not only superintends the payment of the revenue, and initiates the measures prescribed in cases of default ; but is general Registrar of transactions and conveyances regarding landed property (in virtue of his guardianship over the Rent Roll) and has summary power of adjudicating almost all the disputes that may arise regarding land. (We shall return to these powers again.) He has also the duty of submitting a vast mass of accounts regarding the above proceedings, some of which are required from him monthly, others quarterly, half-yearly, or annually. In the Judicial Department he sends up quarterly statements of the transaction of business, extending to the most minute particulars, classifying crime, and testing the punctuality and vigor with which it is repressed. To the Commissioner of Police he submits a yearly statement in a more condensed form, accompanied by a narrative of the circumstances and termination of every heinous offence that has been brought to his notice, and followed by a Report setting forth the methods and success of the Criminal administration of the past year. To the latter functionary, in his revenue capacity, he reports on the administration in that department, and sends up all sorts of accounts, down to the fortnightly statements of collections, monthly forms shewing the progress made in the disposal of Summary suits, and a variety of others, the description of which would lead us into technicalities of a very tedious character.

Here seems likely to be work enough for one man ; work too, which, however expedited by light-handed accountants and nimble christian clerks, must be severely scrutinized and tested, carefully watched, actively expedited by the district officer in person. Let us now turn to the mass of business imposed upon him (and of course under his superintendence, upon his assistants) *over and above* the sufficiently grave tasks which belong to the position, as such, of Magistrate and Collector.

First, we may notice his duty towards the subordinates above alluded to. At the head of his staff appears the "Joint Magistrate" (and Deputy Collector.) This is a gentleman of from

five to fifteen years' standing in the service, exercising, under the general control of his superior, the* full powers of a Magistrate. Now, to control an officer of this sort, to restrain the fiery zeal of a young one, new to the exercise of his great powers, to stimulate the flagging zeal of the dispirited veteran, who has been passed over in promotion and is losing his self-respect, is, at the best, a delicate task. The practice of late years introduced has been to confide the charge of a subdivision, say one-half of the district, to the "Joint," who, in his twofold capacity then becomes, towards the people at least, the district officer of that portion. But Magistrates are men; some are jealous, all are hag-ridden with responsibility; if the co-ordinate subordinate be not given rope enough he will not work heartily, or love his superior; if he be trusted too far, the latter does not know what is going on. One Magistrate therefore sends privately for his "Joint's" cases and overhauls the record; another leaves him alone, till some fine morning he has to report to higher authority on some instance of over-zeal, ignorance or neglect. There is no escape for the poor soul.

Next comes his Assistant,—in districts where the article is kept—and the trouble is double, to say the least. This young gentleman has, on first joining, the feeblest conceivable amount of authority; can imprison a thief for one month, or under circumstances for two; in misdemeanors has half that power. All other cases must go to the superior for confirmation.

But worse remains: he has to prepare for his examinations; has to pass two of those ordeals before he enters the promised land of "full powers." Now these examinations seem to involve that the Neophyte should be able to abound in book learning, should shew that particular kind of memory which is fluent in numerical accuracy (not confounding Regulation IX. of 1807 with VII. of 1819) and should construe and apply the law in imaginary cases in the exact way that it would be likely to be construed by the individual and collective wisdom of the Dons who constitute the Central Committee. He is also required to read the jargon of the Courts, a language combined of Persian, Hindee and English, in a stenographic character which he will never afterwards get sufficient opportunities to practice the reading or writing of, to enable him to decypher a page in a week. And these examinations he must be made to pass, or the phials of wrath will be shattered about the ears of that involuntary Squeers the Magistrate, who knows moreover that if he availed himself to any great extent of the labors of his assistant in their

* An injudicious attempt was made, a few years ago, to render the Magistrate responsible for the Joint Magistrate's committals; but it is understood to have generally broken down and to have been tacitly abandoned.

legitimate sphere—the Court-house—he would never coach him through the Little and Great “goes.” The reader may judge whether the assistant is likely to be of any great value, or whether he will not more than repay it in increased trouble and responsibility.

Following Mr. Tucker’s classification of magisterial duties, we next come to his “general powers and cognizance;” and 1st, as to persons. Here we find him ex-officio family friend to the public at large. Is a husband treated as Menelaus was by Helen, he is to go to the Magistrate, who is to send for the wayward beauty, and endeavour to persuade her to return to the path of conjugal rectitude and the bosom of her Luchman Purshad. If she refuses on the score of his not giving her enough food to eat, or clothes to wear, he, (the Magistrate) must make a proper arrangement; does she refuse, he is to make, with regard to the children “that arrangement which in his discretion may accord with the circumstances.” Turning from these charities of the hearth, we find our universal philanthropist has to look after gaming-houses, to prevent the placing of pig’s blood in Mosques (the faithful appearing rather to object to that early favorite, the black-pudding) to punish duelling, and to be omni-vigilant in the detective operations of the Police.

2nd. As to Things. He is to preside over the destruction of useless records; and to cause the removal of unlawful obstructions and nuisances. This latter is a somewhat curious process, and we may dwell upon it for an instant with advantage to ourselves. The Law (Act XX. of 1841) provides that our friend the Magistrate is to enquire into the nature of the nuisance or obstruction; and if he think proper, to issue an injunction directing that it be removed. Within ten days the proprietor may demand that his cherished hedge or darling dunghheap may be tried on its merits by a committee of arbitration; but if this be not resorted to; or, resorted to, fail to give reprieve, down must go the nuisance, on pain of a fine of 200 Rs. The Magistrate then removes the nuisance himself, reimbursing himself from the money raised by selling the *materials*. Now, here we seem to have as good a specimen as could be desired of the brick-making without straw, which seems so generally expected of our much-enduring friend. It is here, we find, assumed that “nuisances and obstructions” are necessarily valuable articles, commanding a certain market price. But how many nuisances are there, like Colonel So and So’s temper, which are of “no value to any one but the owner.” What is likely to be the value of the materials of a mud-wall? Of a decayed earthen well?—the usual sort of nuisance, we should suppose, the last named being actually cited as an illustration in the Act, as a kind of thing to be filled up. What profitable material would be

obtained by filling up a well, wherewith to recompense with bread the sweat of the laborers' brows? And all this time there is the fine of Rs. 200 credited to Government, out of which the Magistrate must not spend a *cowrie*. We conjecture that this is the only resort left him, that after the ten days, and the arbitration, and the removal of the nuisance, he sends for the defendant, and addresses him in some such form of words as this:—"My friend, you have incurred liabilities to the tune of Rs. 200. I have been likewise let in for Rs. 50 in filling up your well, removing your cess-pool, and otherwise rendering you inoffensive to the public. I shall record against you the full amount of fine, unless you will pay me 50 Rs. in hand, when I shall only put you down for Rs. 50 in my Fine statement. You will thus clear Rs. 100 by the transaction." We will suppose the defendant does this, and does *not* go away and tell every one he has compounded for indulgence from the full penalty by giving His worship a *douceur* for himself; yet what a cumbering circumlocution-office kind of affair it has been, at best; and how long could such a state of "powers as regards things" go on, if such cases were reported every morning in *The Times*?

To conclude, a person must have full powers of Magistrate to decide under this Act: that is the Magistrate must do the whole in person unless he has a Joint Magistrate. He is moreover to preserve and protect the public roads; and let us add that it is within the personal recollection of the present writer, that the Sudder Nizamut, on appeal, reversed, as illegal, an order by a Magistrate fining parties for cutting water-courses through the high road, by which not only were the lives of persons at large put in jeopardy; but the *Commissioner* himself, on his annual tour through the division, had suffered fracture of the buggy-springs! The Magistrate is next represented under the pleasing aspect of adjuster of private differences between next door neighbours, though here occurs a difference, the Calcutta Court holding that he ought, the Agra Court that he need not, interpose to prevent a butcher from carrying on his useful mission "in immediate proximity to the residence of a Hindoo." He, the Magistrate, is likewise at liberty to issue "wholesome restrictions on the conduct of such unpopular animals as swine;" but the Court demur to "the comprehensive measure of shutting them altogether out of a town." This is a delicate function: to control the unpopular excesses of swine, yet draw the line on the hither side of utter exclusion. Surely this is a task worthy of the local statesman! The following cheerful list of addenda, which a construction of 1847 has excluded from the

operations of a particular Act, suggests a farther train of reflection :—

“ Cases of opening windows looking into a neighbor's *zenana* ; ‘ opening a new privy (which annoys him); building a new house, ‘ the spouts of which injure his thatch, or threaten his founda- ‘ tions ; harboring pigs (again !) etc. etc.” What the etceteras involve is too fearful a question to be pursued. The barber in “ Nicholas Nickleby ” drew the line at bakers, we wonder if the Magistrate is allowed to draw his at pigs.

We next come to the head of punishments, the severity of which, previously glanced at, must put three-fourths of the reported crime of the country under the cognizance of these tribunals. The only crimes that *must*, if proved before the Magistrate, lead to the accused being committed to the Sessions, appear to be these ; Murder, Homicide, Burglary with Wounding, Rape, Perjury (which certainly ought to be left optional, for in slight cases a light and instantaneous punishment is the thing required) forgery, and one or two other offences *contra bonos mores*. The vast proportion of Cattle Thefts, Burglaries, Larcenies, Affrays, and Trespasses, that diversify the daily life of an agricultural population, are tried at once, before a single Magistrate, and, unless appealed against, his sentence, which may extend to three years’ penal servitude, is final.

Furthermore, he has the following odd collection of punitive duties. *Mangies* of ferry boats, guilty of gross negligence, may have six months, or a fine of two hundred Rupees. Persons cutting an embankment erected at government expense may be punished for a misdemeanor. For inducing natives to emigrate, two hundred rupees for each adventurer so tempted ! The Magistrate is to punish the users of short weights, though he cannot prescribe a standard of what is full weight ; so how he is to prove his *corpus delicti* seems a little dubious.

The Procedure rules are no less complicated and harassing. The Magistrate must not hold Court in his own house, thus limiting his usefulness to those hours of the day when he is at his office, and making his work depend on the state of his health, and of his stables, to an extent that we should imagine must often become a source of inconvenience. At least we have heard that a contrary rule has been loudly demanded by those who have business to transact with a somewhat similarly empowered class of officers—the Levantine Consuls. Then again, though he is two single gentlemen rolled into one, he must, on no account, hold office at the same time in the judicial and revenue departments : but at two P. M. must read, as Collector, proceedings addressed by himself in his Magisterial capacity at eleven. He

tries his cases, as we have before said, alone. No Magisterial Meetings, or quarter Sessions, seem to have been ever contemplated; the Magistrate has no power to empanel a jury, or call on the aid of assessors. Surely it would be a simple matter to prescribe that three of the authorities of a judicial union, as a quorum, should meet once a month for the trial of persons whose crimes if proved would involve a punishment of more than six months, say;—(any limit of the kind would have the same kind of effect). A check was attempted, of a less valuable character, though not to be despised, in Act XXXVII. of 1854, which provides that every decision, sentence or final order shall be written by the deciding officer in his own vernacular, and at the time of passing the same. This he has also to render (if an Englishman) into the Urdu of the Court. He has already been obliged to sit by watching the scribe as he recorded, one by one, the depositions of the witnesses; or he has recklessly been engaged in other work while supposed to be so watching: let us hope the former is the rule, the latter the exception. Each deposition has then to be read out before the witness and attested. A slower process, one less likely to meet the ends of justice, could not be conceived. The best record of a case, the best test of the Magistrate's attention, would be a clean note, in his own hand-writing, of the points in each deposition bearing on the issue, with a brief summing up and the sentence. The rest is worse than useless. But even this would be of avail only in slight cases; the imposition of heavy punishments, such as two or three years' labor in irons, ought not to be left to the caprice of one individual, and that the original chief constable and head detective who first enquired into the case, and ran down the (supposed) criminal. Hence it would also arise that the facility of appeals on the merits, which introduce such distressing uncertainty into the administration, would become needless; the prejudices or prepossessions of the particular Magistrate who carried through the preliminary enquiries would be harmless, or would serve to counteract the characteristic listlessness of others; and the right of general appeal on the merits of a decision might be at once swept away.

But we must not linger over these more purely judicial points, much as they seem to need reform. We must suppose them to be awaiting the final promulgation of those long promised Pills and Ointment, the Penal and Procedure Codes. But there are many duties still remaining, at which we have not yet glanced; yet which more especially belong to our present programme. There are duties regarding the Superintendent of Police (the Commissioner in his criminal aspect) of which we shall, here, only remark that they are even more annoying in practice than in precept; regarding the Sessions Judge, which are less anomalous—except that

the care of the Sessions Court-house, when not in use, remains with our versatile friend ; duties regarding himself as Collector, which we suppose are usually performed without misunderstanding or dispute ; regarding the Supreme Court of Calcutta ; the Civil Courts ; and the Inspector of prisons : and here we must call another halt. The Magistrate (conjointly with the Sessions Judge, but in practice alone) has the control of the local jail ; except that in the management thereof, he is entirely bound by the central system administered by the Inspector of prisons, N. W. P. The education of the prisoners in reading, writing and arithmetic (the venerable three Rs.) their training to manufacturing pursuits and other useful handicrafts, are all to be watched and reported on by him ; nay, so far is this carried that we believe he alone (with the joint) has the legal privilege of witnessing the caning of refractory convicts. He is also to regulate the distribution of the out-door working parties, and to look after the diet of the "institution." But he is above all, to report minutely both monthly and yearly to the Inspector. There are a number of rules regarding duties with respect to the Military Department, many of which are very proper : and some others regarding the Medical Officers ; the Magistrate is also informed that he should not mind a little trouble and responsibility (having naturally so little of his own) in forwarding letters received from the Post Office ! Letters being received and distributed at all Police Offices, with an additional postage of three pie on each. These moneys are to be kept in deposit by the Collector, and disbursed (by consent of the Postmaster General) on Post Office purposes. Here is another of the district officer's *Masters*, to whom he has to forward a monthly register. We may also mention that we have heard a rumor to the effect that, though rules five and fourteen of the Notification of 30th October 1854 distinctly state that no farther charge is to be levied but the three pie on stamped letters ; the Post Office authorities expect the district officer to levy on the total rent-roll of the district a cess of 2 annas per hundred rupees for the above purpose !

With regard to the Police, a number of rules, some very sensible, have been drawn up. The general conduct of a Police enquiry is however radically vicious, and we are glad to hear that there is reason soon to expect an ample reform. Fancy every constable having a power of enquiry, with authority to record evidence (which is afterwards upset in Court as not given in a Court of record) to receive confessions, and to acquit (conditionally on the Magistrate's order, which is passed on the Police report itself.) Formerly these officers were accustomed to have their zeal stimulated by threats of suspension and dismissal, a practice which

no doubt often led to strange proceedings, and has since been strictly forbidden. So has the practice of an officer from the outlying station accompanying a prisoner who has there confessed his impeachment: and other stringent rules and practices having been introduced, it is now often found that such prisoners totally ignore their *Thàna* confessions, and ascribe their record to fraud or violence. Believing as we do that the practice of torture (to the very moderate and circumscribed extent to which it can be proved to exist in these provinces) is almost wholly to be traced to the natural but improper anxiety of the Asiatic Dogberry to obtain a strong case that shall lead to conviction, we are not disposed to anticipate complete reform from any of the palliatives that have been lately adopted, as long as the power of Police enquiry (in the present sense of the word) exists at all. What we should like to see would be that a prosecutor should have the option of demanding the search of premises and arrest of person of any one whom he suspected; or of invoking the aid of a special class of officers selected, set apart and well-treated for this particular office. Stimulated by the hope of promotion, and by the offer of a handsome present from the prosecutor on recovery of the property, our young detective (reporting of course to the Magistrate) sets to work, taking down the vaguest *proces verbal* compatible with clearness, and forwarding day by day a counterpart statement of the same to the Magistrate. On the crime appearing to be brought home to any one—or in the case first supposed, on the prosecutor's request for the arrest of a suspected person—he should be sent in, without having been asked any questions, and the prosecutor and witnesses examined on the spot should be subpoenaed to attend the Court on the earliest possible day.

The Magistrate is also standing Commissioner *De Lunatico Inquirendo*, and has to enquire minutely into the state of mind of any person accused (so to speak) of being of unsound mind. He is likewise bound to adjust summarily all cases of disputed possession of lands, premises, water, fisheries, crops, or any other produce of land in which either breach of the peace may be apprehended, or forcible dispossession be shewn to have taken place. This is the famous Act IV. of 1840, which we should approach with unlimited terror, were it not for our belief in the subjoined statement. Namely, that after having converted the Court of every Magistrate into a Small Cause Court for the trial of the most unfathomable issues in the most unsatisfactory manner; and after having caused more diversity of practice, and more perplexing rulings and explanations by the higher Courts than any other ten laws put together: it has been condemned both by friend and foe, in principle as well as in practice. Not

that some provision was not requisite, and that this was not most benevolently introduced: the general, though disastrous recourse that has been had to it shews this; but the whole thing was an admission (in thin disguise) that our Civil Judicature was inadequate and unpopular; and it has only lingered on from the dislike of the Legislature to make *ad interim* laws when the new Civil Code was hourly expected. It is now sincerely to be hoped that the protracted parturition of so many English and Indian Jurists may bring forth something in their behalf, to match with the very simple Criminal Code now so shortly to become the law of the land. With the active procedure in prospect for the Dewanny, and an intelligible plain Code, there will remain no excuse for saddling the poor district officer with any more of this kind of miscellaneous duties.*

To resume the thread of our necessarily somewhat disconnected and meagre analysis, which may now be closed in a very few words, as regards the district officer in his Magisterial capacity;—on the march of troops the Magistrate is required to cause the Police to give every assistance to the Collector's people (rather circumlocutory again) in procuring supplies and adjusting quarrels; to adopt all legal means to put an entire stop to the pressing of porters for the service of the troops;—(how coolies are usually induced to such service is not known to this writer)—and to strip all persons dressed like sepoys. The meaning of this latter astonishing order being that no persons, not even sepoys themselves—when travelling off duty, are at liberty to wear a military uniform. So much for the Magistrate; let us turn to his *alter ego* the Collector.

The Collector's strict duties lie in the supervision of the payment of the Government dues, chiefly from land. In the North West, as in India generally, there is but little actual taxation, in the European sense of the word. The people, though well off according to the scale of their wants and habits, are poor enough in the matter of *cash*; and the fabled wealth of Ind (not to say of Ormuz and Stamboul,) seems chiefly to have consisted, as far as it was real, in such gold and gems as could be collected by plunder and oppression, to deck the throne of the sovereign. The majority of the people are viewed as the tenantry of the state, and what they pay as rent forms the public revenue. Under native rule, this was all that could be got; under us it is fixed for a term of years. This is a simple direct system; and, whatever its faults, is habitual to the people; and,

* It is to be hoped that these considerations are the reasons why the second reading of the "Criminal Code Bill" in the Legislative Council contained no provisions for those constantly recurring *quasi* civil difficulties between master and servant (already included in our criminal law.)

we have reason to believe, as agreeable to them as such a thing as contributing to the revenues of Government can be to those who pay. There are also a few taxes, chiefly levied on luxuries, and a stupendous system of accounts. Then follow the record and registration of the rent-payers, and the description of the assets, in which particulars the Agra presidency has probably outstripped all existing Governments. There is also the care and conservancy of the assets, in a country whose acres slip into the rivers by night, while other villages rise in the morning to find their area increased by so much fine meadow land. There is the Treasury department, involving the care of the proceeds of the above-mentioned taxes, until the balances find their way to Calcutta, or elsewhere; and rendering necessary a further labor in the management of bills, notes, remittances, rupees, guards, carts, tumbrils, &c. There is the pension department, a large one, when it is remembered how vast a native agency must be employed, each of whom enters young, and gets a pension when superannuated; not to mention stipendiary payments to deposed chiefs and political dependents. There is a department also of Civil Judicature in the Collector's office, where summary suits are heard and decided; either directly, or on the report and record of an inferior officer; regarding distraint and replevin, rent, execution and ouster. There is the education and management of the putwara, or village accountant, who has to be qualified to make all surveys, and keep all registers, necessary for the internal well-being of the village-communities; and a memorandum from whom is a necessary exhibit in lodging a summary suit. There is the execution of the decrees of the civil tribunals relating to land, and the sale of such property as may be attached thereby; as well as of that liable to Government demands: the latter process being, however, but rarely resorted to. The Collector has to hear appeals from the lower officer's decisions; to conduct suits in which Government is a party before the Civil Courts; to furnish (as before mentioned) a perfect legion of statements. He is also "responsible for all the official conduct and actions of his subordinates, and is bound to give them complete instruction in all branches of their duty, and to maintain an effectual control over them. He should develope their characters and form them into valuable officers of Government." The words are those of the late excellent James Thomason, in a Manual for Collectors, which he put forth while Lieutenant Governor of Agra. We may be suspected of vaguely heaping up nominal duties which are in reality, slurred over; but such is not the case. Thus, for instance, *with his own hand*, the Collector records in English, the final decision he may pronounce in the investigation of rights

MARCH, 1857.

B

and records, of boundary disputes (under Act I. of 1847); of offences against the excise; enquiries into rent-free titles; as well as in all the branches of summary Judicature enumerated above. It was stated by Mr. Thomason, in the work already quoted, that nothing can pass in the district of which it is not the duty of the Collector to keep himself aware, and to watch the operation. The vicissitudes of trade; the state of the currency; the administration of civil justice; the progress of public works. This offers him rather a large field of observation, on the whole, we may as well say.

Mr. Tucker's book, so much consulted during our present enquiries, is a quarto volume of 568 pages, which only addresses itself to the office of noting in abstract the principles, rules and regulations applicable to the duties of a Magistrate and Collector's office. It will therefore be at once felt that we have no prospect of including them all in our present notice; nor any such horrible intention as that of inflicting on any kind reader who may follow us so far, an exhaustive account of all the work performed by the district officer. But there are two branches of his miscellaneous duties which will well bear to be dwelt on a little; for their exceeding importance gives them an interest to the good Collector, which causes them to make large demands on his attention and his leisure. We allude to road-making and education.

The interior traffic of the North West Provinces is provided for from two distinct sources. The first is "one per cent. on the land revenue, which under the contract entered into" at the time of the settlement, is contributed in lieu of the personal service formerly demanded from the proprietary bodies by Asiatic customs. The second, the "Ferry Fund" consists of the income raised from the ferries across rivers; and is appropriated by law to the improvement of the means of internal communication. By a resolution of Government, dated 10th February, 1841, Local Committees have been formed in the several districts to superintend "the disbursement of these Funds, which the* authority we have been following states to have been, ten years ago, equal (with the added labor of 10,000 convicts) to a sum total of Rs. 6,50,000 annually, or £65,000 sterling. This amount is probably nearly stationary. The wages of labourers at the same time are about eight shillings a month, so that the sum represents perhaps something near to (£2,00,000) two hundred thousand pounds sterling of English money." The occasion of Mr. Thomason's describing this state of things was, when the Hon'ble Court of Directors, in their despatch No. 2, of 1845,

* Thomason Despatches, vol. 1, p. 438.

Public Department, dated January 22nd, recommended the appointment of a "Superintendent of roads, bridges, and tanks" for the North West Provinces. Mr. Thomason, at the instance of the Governor General, applied himself to the subject, and in the second letter published in the volume just cited (dated 10th September, 1847) submitted a detailed plan formed in consultation with Lieutenant Colonel F. Abbott, the then Superintendent of Engineering for the provinces. We shall first offer a slight sketch of the existing state of things (which in spite of the above-mentioned proceedings was not altered) and then shew how, in our humble opinion, the views of the Court and of the local authorities then consulted could best be applied to practice.

The Magistrate-Collector is at present the usual executive, financial and generally working member of the Committee. To him are entrusted, under the respective titles of * Vice President and Secretary, the duty of superintending the repairs of old lines, and the making of new : often involving the throwing of masonry bridges over rivers of considerable breadth and water-power : the preparation of plans and estimates : and the checking of expenditure and accounts. He has been further required, of late years, and very properly, to attend to the repair of the minor lines of communication between the villages in the interior of his district, and their adjacent market towns. Once a year, at least, towards the close of the periodical rains, (viz., about 15th August) he calls together the remaining Members of his Committee, and reports progress. The accounts are passed ; no one cares about what is going on (or knows much indeed) except the resident Engineer Officer, who is either the Vice President's bitter and able antagonist, or (as we would hope more frequently happens) his sworn ally. These proceedings are recorded, and a copy of the record sent, with statements of the most excruciating and hopeless simplicity (and incomprehensibility) to the Commissioner ; whose duty again it is to forward them with remarks to the Secretariat. Here they are again passed in review ; and the prudent Magistrate, who waits for the final decision of Government on his proposal for improving and maintaining the internal communication of his country, finds them all substantially supported (whatever trifling alterations may be added to shew that his superiors are up to their work) and that his working season is going by, earth becoming hard, and time insufficient to complete the work. It will be farther remarked that the proceedings having been chiefly inaugurated by a man

* The Divisional Commissioner being ex-officio President in each district of his division.

who knew nothing of the general subject of road-making, though he has local acquaintance with the *places* (which is something), have to be tested, modified or approved by two others who know little of either subject *or* place.

Now the appointment of a General Superintendent for the N. W. P. would cure these defects, and might, we think, be also a means of maintaining the present local system in greatly increased efficiency. The Committee might be reduced to a very simple board of works for each district; viz. the Collector and the Engineer. A road-map of each district should be prepared, on which should be drawn;—1st, the natural conformation of the country, drainage-lines and other natural incidents; 2nd, the existing lines of road, colored according to class, and only shewing the terminal towns, or very important stations passed. Yearly the Engineer should forward to the* Central Office a copy of this map, accompanied by a full report on the operations of the past year, the state of the works, the receipts and disbursements, and the repairs requisite during the coming season. He would also have upon the map, in pencil, the proposed new lines of communication, appending the district officer's minute on the social, statistical, or other considerations rendering each such work requisite. The Central Superintendent, himself a locomotive officer, with his attention and previous training exclusively applied to this one subject, and assisted by a competent Secretary, like himself a professional man, would test with all speed the relative wants of each district; and would allot to each its due proportion of the† Funds. This plan, we believe, would steer the true path between leaving all to unprofessional caprice, and the opposite extreme (both of which are dexterously united in the present calamitous system,) of fettering the local authorities by an irksome and useless control.

Our universal friend has also duties of schoolmaster at large, over and above those regarding his subordinates which we have mentioned above, and which have been frequently insisted upon by superior authority. In this, as in all things, Mr. Thomason made his plans with that practical vigor which was the natural result of his singleness of purpose: undeterred by the conflicting considerations which confuse the speculations of "large minded men," he viewed everything in the one light which shone so strongly on his own position—that of the Great Revenue Officer of the time and country. The first remark in the

* The Sudder Board of Revenue, Agra; of which the Superintendent would be a member.

† Objection might be taken to the one p. c. fund of one district being spent in another. This we believe, in practice, would never occur. The Ferry Fund allotments would suffice 'to remedy inequalities.'

first state-paper he is known to have written on this subject is this—"The great want of the most elementary education is daily felt. *Putwarries** are scarcely able to write their papers intelligibly, and the people are seldom able to read them or to check them." (Letter to Government of India 27th September, 1845.) The whole despatch harps on this one string. This plan was to work through indigenous schools, teaching accounts and matters connected with land, to the sons of small proprietors and cultivators, through a schoolmaster supported on rent-free land. The Zemindars were to name the teacher, the Collector to examine, and (in case of approval) to appoint him; and the Collector or one of his staff was to be the visitor of all schools throughout the district (Memo. forwarded with letter to Government of India, 18th November, 1846. Thomason Despatches, vol. 1, p. 332.) Conceived on such principles, the scheme of indigenous education became bound up with the Revenue administration, to an extent which must have been as harassing to the Collectors, as it was unintelligible to the general public. Parts of this scheme were modified in practice, the *jaégeer* was commuted for a cess of one per cent. on the Government demand of land revenue—thus making the village pay instead of the Government. So far an important change. Still more important has been the putting the whole superintendence under an inspector or director general, with divisional subordinates, and a competent staff of native assistants for the work of the district; still part of the scheme as eventually matured includes a model school at each Tuhseel;† the Collector is always a member, usually an active one, of the Committee of Public Instruction, and is constantly liable to be corresponded with officially by the director-general or his divisional officer. It may be thought that we write these last words in an unduly bitter spirit of complaint; but let it be remembered that the prefect of a district has the following amount of superiors, all of whom have the power (which they freely exercise) of writing to him, officially and otherwise, calling him to task, or demanding information. "1. His Honor the Lieut. Governor, and his Secretariat. 2. The Sudder Nizamut Adawlut or High Court of Cassation. 3. The Sudder Board of Revenue. 4. The Commissioner of Revenue. 5. The Commissioner of Police. 6. The Sessions Judge. 7. The Post Master General. 8. The Accountant. 9. The Civil Auditor. 10. The Inspector of Prisons, N. W. P. 11. The

* Village accountants above mentioned, through whom the Collector becomes acquainted with the revenue affairs of the several estates under him.

† Office of the native Sub-Collector.

Director General of Instruction, N. W. P. 12. The Chief Engineer. 13. The Superintending Surgeon. 14. The Director General of Canals, N. W. P. 15. The Superintendent of Stationery and of Stamps : together with less frequent communications from many corresponding offices in the Government of India or of Bengal.

Let us take breath. Here are two or three notable things, which if they are not made clear, this paper has been written in vain.

First, there is a wrong nomenclature, a fruitful fountain of misconception and false action. The Magistrate and Collector should have a more significant and a more convenient title. Several changes have been proposed. There is the Punjab fashion ; but to this it is objected that Deputy Commissioner merely implies that the official so called is the *locum tenens* of one whose own designation betokens something of a temporary and occasional character, Commissioner having that meaning in England. Then there are the French terms, Prefect and sub-prefect ; but then they *are* so French. English people would never understand them, and the natives will accept any foreign word ; 'tis a part of their nature (singular, but undoubted, so we need not stay to consider them in the matter.) On the whole it does appear to us, reviewing the nature of the system, that the two titles " Superintendent of Division " and " Superintendent of District " would be the best that could be chosen. In practice, the present customary word " district officer " would still indicate the subject of our present enquiries, while the superior, if retained, would be similarly styled " division officer."

If retained ; for this is also considered an open question. In Madras and Bombay the Commissionership is not known, in Bengal it is purely a matter of revenue ; it is in our own provinces and the sister territories of the Punjab and Oude that the complete spectacle has been shewn of an official standing between the Heads of Departments and the representatives of Government in the districts ; undoubtedly having less power of acquiring local information than the latter, not improbably having an occasional tendency to mislead the former as to the motives and merits of the district officers ; compelled to vindicate his own character for activity by perpetual and restless interference ; extending that interference sometimes into judicial matters, and others clearly not within the scope of his Commission ; yet for all that forming a serviceable, according to some, a necessary link of communication between the Government and its executive. That such a medium is not indispensable we may see from the instance of whole presidencies which know it not ; whether it be salutary, depends partly on the amount of centralization we

consider desirable. All due care should assuredly be bestowed against the operation in any particular district of individual freakishness or imbecility; whether the best way of so doing be to set one officer with complete responsibility in five districts over another with the same in one;—this seems the real question.

Meanwhile, there can be no doubt that the district officer might have fewer irons in the fire, and yet continue to be, as he is now, the real working man, the pivot of administration. Some of the remedies we have spoken of in passing. An important one would be the lessening of his Small Cause jurisdiction. He might be constituted the head and supervisor of Civil Justice in the district, as he is in the Punjab, with power to hear appeals, or under certain circumstances, to hear original suits; but it should be part of a system. At present, it rests with himself whether he will hold Court only twice a week, or will dispose of three-fourths of the civil business of the district. With the multifarious and important duties of statesmanship which are incumbent on him, we do not think he should be put in such a position, that this kind of spurious equity-practice can be with any degree of ground expected from him. And we are glad to see that the proposed new Penal Code pointedly omits several quasi-civil provisions contained in our present criminal jurisprudence.

Of course it is quite absurd to pretend that one man really does all this work. But he is held answerable for it; answerable for every copper of public money in the hands of his Deputy Collector, for every stroke of a rattan inflicted by his assistant, for every fractional error in the most trifling account prepared by his clerk. And the responsibility is borne—cheerfully though not recklessly—and men grow prematurely grey and wrinkled; men of taste and learning abandon their pursuits; men of sentiment and feeling surrender their family ties and their native country; and manfully accept the task of carrying out the unflagging, though perhaps sometimes fussy, beneficence of the most devoted and assiduous Government that India ever witnessed. And it is at this especial moment of time, when all these tasks are increasing, along with the centralized vigilance which exacts their most complete possible fulfilment; when the immense extension of surface by the annexation of the Punjab and Oude is thinning to an almost unsafe degree the *personnel* formerly available for much less work; that the Home Government interposes to curtail the emoluments of a service which does not, we believe, cost three per cent. of the revenue of the country. There was a time, it is true, when the Customs' Officer at Allahabad drew 7,000 Rupees a month for signing Permits for half an hour after his breakfast; and at this instant

there is many a brother officer in the army who has hardly enough pay to keep body and soul together; but what do such facts prove? Surely the scale of salaries paid to men who are to do such work and bear such responsibilities as have been above feebly sketched, depends upon other considerations than these, that some people (with quite other duties) get too little, and others (at quite another time) got too much. If the whole administrative establishment is cheap and efficient, the principle of *quieta non movere* (or "let well alone") has much meaning. It is true the same aggregate sum might be given, and divided among more hands; but this involves a departure from the approved system of controlling agency, which is not the hypothesis, does not seem desirable, and is not spoken of as intended. And, lastly, there is Lord Ellenborough's unrefuted argument; that a man after spending the best thirty years of his life in one of the most dreary and complete states of exile, and in one of the most abominable and wearing climates the world can produce, has saved less for his retirement, and made less provision for his family; than one with fair advantages who has been pursuing a liberal profession in his native land.

- ART. VII.—1. *Yarrell's History of British Birds*, 3rd edition, in three volumes. London, 1856.
2. *The Birds of Europe*. By JOHN GOULD, &c. &c. 5 Vols. Imp. folio. Concluded in 1837.
3. *Manuel d'Ornithologie, ou Tableau Systematique des Oiseaux qui se trouvent en Europe*, &c. Par C. J. TEMMINCK, Membre de plusieurs Académies et Sociétés savantes. Seconde édition, 4 tomes. Paris, 1840.
4. *Revue Critique des Oiseaux d'Europe*. Par MONS. H. SCHLEGEL, Docteur en Philosophie, Conservateur du Musée des Pays-bas, &c. &c. Leide, 1844.
5. *Ornithologie Européenne, ou Catalogue Analytique des Oiseaux observés en Europe*. Par C. D. DEGLAND, Docteur en Médecine, &c. &c.; 2 tomes, Lille, 1849.
6. *Faune Ornithologique de la Sicile, avec des Observations sur l'Habitat ou l'Apparition des Oiseaux de cette ile, soit dans le reste de l'Europe, soit dans le nord de l'Afrique*. Par ALFRED MALHERBE (de l'île de France). Metz, 1843.
7. *Catalogue Raisonné d'Oiseaux de l'Algérie, comprenant la Description de plusieurs Espèces Nouvelles*, &c. Par M. ALFRED MALHERBE (de l'île Maurice). Metz, 1846.
8. *Scandinavian Adventures, during a Residence of upwards of twenty years, representing Sporting Incidents, and Subjects of Natural History, and devices for entrapping Wild Animals, with some Account of the Northern Fauna*. By L. LLOYD, Author of 'Field Sports of the North of Europe.' 2 Vols. London, 1854.

THERE are few persons, we apprehend, other than professed zoologists, who have an idea of the extent to which the feathered inhabitants of the British islands are found, identically the same in species, in this torrid clime; and the appearance of a new and third edition of the admirable work of its kind before us, placed at the head of our list, and which its much respected author only just lived to complete, prompts us to devote an article to a subject of enquiry new to the *Calcutta Review*, albeit, we trust, of interest to a large class of its readers.

In general, so limited are the opportunities which an ordinary Indian life allows for *field observation*, that the only familiar reminiscence of home which an European sojourner in the plains of India will recal to mind, among the feathered tribes of this country, is afforded by the pretty, little, clean-looking, sprightly Water Wagtail, usually the first and most welcome harbinger of the com-

MARCH, 1857.

ing cold weather, and remaining with us so abundantly whilst it continues. This bird, and the harsh chattering of a very common kind of Shrike (*Lanius superciliosus*) in our gardens, are regularly the earliest intimations that most of us receive of the coming change of season; but a Snipe (*Gallinago stenura*) precedes them, which, though few sportsmen discriminate it from the common British Snipe (which makes its appearance somewhat later), is nevertheless a different bird, at once distinguished by having a set of curious pin-feathers on each side of its tail, whereas the British Snipe (which is equally abundant with us) has a broad fan-shaped tail, as unlike that of the other as can well be. The pin-tailed is the common Snipe of the Malay countries; and is unknown in Europe, excepting as an exceedingly rare straggler from its proper habitat, the east. But the Snipe is unobserved save by the many who delight in exercising their skill in shooting it, or who wonder to see it so soon in the provision-bazar; and our little piebald friend the Water Wagtail, in its season, and the common Sparrow at all seasons, so abundant as to be overlooked and forgotten, are probably all that the European reader, unversed in the study of ornithology, will be able to recal to mind as yielding associations of home; unless, perchance, he may also recollect the common small Kingfisher of this country, which differs from the British bird only in its more diminutive size.

We have somewhere read of the delight expressed by one who had been many years in India, at seeing, upon his return to his native land, the Sky Lark rise from the sod at his feet, and mount higher and still higher, till reduced to a mere speck in the heavens, or utterly lost to view, all the while making the air ring with its music. Had he ventured forth into the fields of any part of India, he would have seen and heard the very same; although the species (*Alauda malabarica*) is different, and may be somewhat inferior to the European Sky Lark in song, so far at least as regards variety in the notes; but there is really very little difference, so little that the two birds could assuredly not be distinguished by the voice alone, nor by the mode of flight. Examined, the common Indian Lark may be described as resembling the European Wood Lark in size and shape, with the plumage of the Sky Lark. It may, indeed, be remarked that even the Pied Wagtails of India (*Motacilla luzoniensis* and *M. dukhunensis*) are specifically different from those of Europe (*M. alba* and *M. Yarrellii*), however similar in appearance and habits; but the Grey Wagtail of Britain (*Calobates sulphurea*) is identically the same in India and Java, and we have seen a specimen contained in a collection from Australia (where, however, this species has not been observed by Mr. Gould, nor by any of his numerous co-adjutors in that country). We have seen this delicate little

bird, so clean and bright in its appearance, tripping about over one of the filthiest black drains in Calcutta; and it is of very general diffusion over this country during the cold season, being indeed much commoner than in Britain. The most abundant Lark, however, on the plains of Upper India and tableland of the Peninsula, is the *Chándul* or Crested Lark (*Galerida cristata*), which is also a European species, but of rare occurrence in Britain; and the song and mode of delivery of it in the air of this bird, also, is not very unlike that of the Sky Lark, although it does not soar to so lofty an altitude.

The community of species among the birds inhabiting or visiting India and the British islands is most remarkable among the diurnal birds of prey, and (as might be expected) among the wading and swimming tribes; but as these are mostly rare in Britain, and do not fall much under common observation, their presence in India fails to convey any sort of reminiscence of home. The relentless persecution of it by gamekeepers has now very nearly extirpated, as a permanent inhabitant of Britain, that fine handsome bird, the common European Kite (*Milvus regalis*); but were it as numerous in England now as in the days of the Tudors, the Scavenger Kites of India (*M. govinda*) might help to remind the British exile in this country of his distant home in the west. "In the days of King Henry VIII," writes Penant, "as appears from the observations of the celebrated Clusius (l'Ecluse), the British metropolis itself swarmed with Kites, which were attracted by the various kinds of offal thrown into the streets, and were so fearless as to take their prey in the midst of the greatest crowds, it being forbidden to kill them." How well can this description be recognised in India, where the Kite proper to the country is so very numerous in its season about human habitations; hundreds circling in the air together, especially towards evening, all collected over one spot, though there be no refuse to entice them thither; or if some garbage be thrown out, their dexterity in clutching whatever they can seize, without alighting, affords a curious, however frequent, spectacle; a few will commonly alight and mingle among their fellow scavengers the Crows, while a crowd of others are circling and dashing over them, and stooping as they sweep by. Mr. Knapp, in his 'Journal of a Naturalist' (which we quote from memory), relates an instance of—if we remember rightly—as many as eleven Kites having been captured in Gloucestershire upon one tree, with their feet frozen to the branches; and the latter curious fact was less surprising to the late accomplished naturalist, Professor Macgillivray, than the circumstance of so many individuals of a *Falconidous* bird having been found together. What better commentary upon the rarity of the Kite in Britain in our day! Why the birds

of this genus are eminently social, if not gregarious. How often do we see an old tree covered with them, or a number together upon a house-top, preening and sunning themselves, while others are sailing about above them ! And so also with the British Kite where sufficiently numerous. In a list of the birds observed to winter in Macedonia, Captain Drummond remarks of it—"Most ' numerous, and seem fond of society, as they roost in company ; ' upwards of fifty of these birds were seen one evening about sunset, sitting upon *one* tree, along with a *Circæetus brachydactylus*."*

The poet and scholar and "independent being in his day," John Milton, it may be remembered, considered that the contests of the petty monarchs of the Saxon heptarchy were about as worthy of historic record as "the combats of Kites and Crows;" for, in his time, no doubt, it was as common in England to see a Crow attack and pursue a Kite in the air, as it now is in India : but such a spectacle in Great Britain would, in these days, probably be recorded in the news-prints, as quite an unwonted phenomenon in Natural History ; and far more surprising would be the descent of a Kite to clutch garbage in the populous streets of London, or even its appearance sailing and circling aloft, which most indubitably would find its record in print.

Every reader will or ought to be familiar with Macaulay's famous sketch of the physical condition of the country and its animal inhabitants in Great Britain, during the long middle ages, before so many creatures were extirpated, or reduced to extreme rarity, by the encroachments of cultivation and of increased population upon the wilds. Mr. Yarrell's history of the Crane, as a British bird (it is still common in Scandinavia), affords some further illustration ; and an inhabitant of rural Britain, transferred in those days to this part of the world, would have recognised more British birds as common inhabitants of India, than now that the larger kinds have, for the most part, become so very rare and shy within the British islands.

Whatever may be the amount of British species of birds actually obtained, according to the list, in Lower Bengal for instance, there is nought in the *ensemble* of the various birds under daily observation in this country, to remind us of the present familiar ornithology of Great Britain. The newly-arrived observer from that region will particularly be struck with the number of birds of large size which he sees everywhere, even in the most densely populated neighbourhoods ; flocks of Vultures, huge 'Adjutants' (in their season), swarms of Kites (in their season too, for they disappear during the rains),—and all three soaring and circling high in air as commonly as at rest,—Brahmini Kites, various

* *Annals and Magazine of Natural History*, XVIII, 11 (1846).

other birds of prey, among which four kinds of fishing Eagle (including the British Osprey) are not uncommon,—water-fowl in profusion in all suitable localities, Herons especially of various kinds very abundant,—several sorts of Kingfisher (mostly of bright hues), the common Indian Roller, also a bird of great beauty, and the little bright green Bee-eater (*Merops viridis*) conspicuous everywhere,—his impudence the common Crow of India, of unwonted familiarity and matchless audacity,—the different Mainas remarkable for their tameness, the Drongos or 'King Crows,' the *Sât-bháis* (or 'seven brothers') with their discordant chattering, two sorts of melodiously chirruping Bulbuls, the bright yellow 'Mango-bird' or Black-headed Oriole, the pretty pied Dhyal* (the only tolerably common sylvan songster worthy of notice), the brilliant tiny Honey-suckers (also with musical voices), the lively and loud Golden-backed Woodpecker, and two monotonously toned species of Barbet, the pleasingly coloured Rufous Tree-magpie (*Dendrocitta rufa*), the noisy Cœl (remarkable for the dissimilarity of the sexes, and for parasitically laying in the Crows' nests), the Crested Cuckoos (*Oxylophus*) during the rainy season (parasitical upon the *Sât-bháis*), with other *cuculine* birds, especially the Coucal or 'Crow-Pheasant' (another noisy and conspicuous bird wherever there is a little jungle); and last, but not least characteristic, in this most summary presentment of the birds commonly observed in Lower Bengal, the harmonious cooing of two or more kinds of Dove, soothing to repose and quiet, and the loud screaming of flocks of swift-flying green Parakeets, with sundry other types all strange to the new-comer:—while he misses the familiar types of home, the various Thrushes, Finches, Titmice, &c., which are feebly or not at all represented in the ordinarily observed ornithology of this part of the world: the bright little *Iora* may perhaps seem to represent the Titmice, and the tiny 'Tailor-bird' the Wren; while the northern forms of Finches are replaced by the *Báyas* or 'Weaver-birds' (with their curious pensile nests) and the diminutive thick-billed *Muniás*: but he will be much struck with the prevailing silence of the jungle, and the paucity of small birds even in the cold season, so different from the woods and gardens and hedge-rows of his native land, teeming with small feathered inhabitants, among which

* *Le Cadran* of Levaillant (*Oiseaux d'Afrique*, t. 109), who remarks—"Voici l'oiseau qu'Albin décrit sous le nom de *dial-bird* (oiseau cadran), que lui donnent aussi les habitans du Bengale, à ce qu'il dit, et que nous lui laisserons de même pour ne pas multiplier inutilement les noms, quoique cependant nous avouons ne pas connoître le motif de cette dénomination singulière pour un oiseau; à moins qu'on ne l'attribue à ce que, chantant à certaines heures du jour, comme il le fait en effet, les peuples de cette partie du monde, ou l'espece se trouve aussi bien qu'en Afrique, ne soient instruits de l'heure qu'il est par le moment où le mâle commence son chant; ce qui est assez ordinairement au lever et au coucher du soleil"!!! The Dhyal is not African.

are so many pleasing songsters of all degrees of merit :* he will miss the Swallows, except occasionally and somewhat locally a few of the *Hirundo rustica*, chiefly over water, and young birds of the past season ; and along the river-banks, where high enough, when the small Indian Bank Martin (*H. sinensis*) will occur abundantly ; but the Swallows are replaced by two non-migratory Swifts, the common House Swift (*Cypselus affinis*) and the little Palm Swift (*C. balasiensis*). Let him travel, and wherever the telegraph-wires extend he will see the Roller and the 'King Crow' habitually perching on them, to watch for their insect prey ; the former displaying his gaily painted wings to advantage, as he whisks and flutters about, regardless of the fiercest sun ; and he will soon make acquaintance with the small white Vulturine bird, *Neophron percnopterus*, the 'Rachamah' or 'Pharaoh's chicken,' introduced as British, because a single pair has been known to stray so far beyond its ordinary haunts.

Of the smaller British land-birds only few occur, and these are mostly rarities in the west ; but the Wryneck is not uncommon, though little observed, and the European Cuckoo will now and then turn up, more frequently in the barred plumage of immaturity ; the Hoopoe, too, is common, but is much too rare in England to awaken a reminiscence, and so with others. Of course we allude to the cold season, and to birds in their winter quarters. Among the Hawks, the Kestrel will occasionally be observed in extraordinary abundance ; and Harriers (*Circus*) are often seen beating over the open ground : but the small waders are particularly common in all suitable places, including most of those found in Britain, in greater or less abundance. It would be tiresome to particularize further. But wonderful is the num-

* We here refer more especially to the British islands : for it is a common remark how comparatively rare the smaller birds are in France and Germany. There are several reasons for this : the principal of which is, probably, that the seasons being more strongly contrasted on the continent, birds are there migratory to a greater extent, and a larger proportion of them merely traverse the midland countries of Europe in the seasons of passage ; the general absence of hedgerows may also be remembered ; and the unrelenting persecution of little birds by gunners, in France especially, where Mr. Yarrell himself assured the writer of this note that he had seen a pointer trained to stand at Larks ! Nor is this an uncommon occurrence, as we have been told. The following passage is quoted from a recent communication to the 'Zoologist' (for October 1856.) "I think," remarks the Rev. A. C. Smith, "that every Englishman who has travelled much on the continent will have been struck, not only with Mr. Bree, at the scarcity of birds in the Swiss mountains, but also generally through the whole of France, Belgium, Germany, and Italy. From the time he leaves England till his return, he may drive through the endless corn-districts of France, through the interminable plains of Bavaria, through the boundless solitudes of the black forest, even through the vineyards and gardens of Italy, and, comparing the result of his observations with what he sees daily in his own country, he will marvel at the paucity of specimens of the feathered race : " less so, however, in Switzerland, according to this writer ; and less so, we likewise understand, in Scandinavia.

ber of fishers, and vast indeed must be the consumption of their finny prey. Otters (*Lutra nair*) among the mammalia, but no Seals; and of birds, sundry fishing Eagles, and a great bare-legged fishing Owl, with various Kingfishers in abundance, numerous kinds of Heron in surprising numbers, Pelicans, Darters (*Plotus*), Pygmy Cormorants, and Grebes or 'Dabchicks,' besides Gulls, Terns, and rarely Skimmers (*Rhynchops*). Gulls, however, are less numerous than in Britain; and we have met with three species only, the common British *Larus ridibundus* and a nearly affined species, with the fine *L. ichthyæetus* chiefly towards the mouths of the Gangetic rivers. Over the salt-water lake near Calcutta, we have seen a very uniformly scattered flight of the great White Egret so prized at home, as far as the eye could reach in every direction, all pursuing one course to some favorite fishing-ground, and flying just above the reach of gunshot. The Gull-billed Tern is there one of the common birds, and the Whiskered Tern (*Hydrochelidon leucoparæa*), replacing the Black Tern of the Kentish marshes; and the Peregrine Falcon may not unfrequently be seen, well meriting the name of 'Duck Hawk' bestowed on it in North America: also great flocks of Longshanks (*Himantopus*) wading and seeking their subsistence in the expanse of shallow water. And yet we may pass for hours along the reed-fringed *nullahs* or water-courses in the immediate vicinity, and scarcely see a living thing or hear a sound in those watery solitudes; but the muddy banks are honeycombed with the footsteps of wild Pigs of all sizes, and various *Rallidæ* are swarming around, as the numbers of them captured in trap-cages abundantly testify. No sign whatever of the proximity of the great emporium of the east, within an hour's distance or less of its outskirts in a rude canoe; and human inhabitants, fowlers and fishermen or both combined, who have never seen Calcutta in their lives, and actually know not that they are living under the British Government! These men bring their captured produce to certain ghâts, and there sell to other people whose business it is to re-sell to the provision-bazar dealers. Of a number we once questioned, a few only had ever journeyed to Calcutta, and of them but one had seen the Government House!

Passing from the delta of Lower Bengal, no matter in what direction, a considerable replacement of species may be observed, characteristic of the fauna of Behar and of the plains of Upper India to the west and north, and of the Burmese countries eastward: but it is not our object to proceed to minute details; nor even to treat of the assemblage of forms in different regions of the sub-Himalayas, where those of Europe and of W. and N. Asia prevail more and more towards the N. W., Malayan

forms eastward, and Chinese types and even species to a great extent (or, to express it more correctly, particular sub-Himalayan genera and species, the range of which extends eastward to China. *) Again, on the highlands of the Peninsula of India, and still again in those of Ceylon, distinct species of the northern types occur, but *no different genera*. Thus the Jungle-fowl of N. India is replaced by a different species (*Gallus Sonneratii*) in the Peninsula, and by a third (*G. Stanleyi*) in Ceylon: and not a few similar instances might be adduced.

We will conclude this slight notice relative to Indian birds in particular, by quoting Dr. G. Buist's highly graphic sketch of a curious ornithological incident observed annually in the island of Bombay. "Two events," he remarks, "strike with surprise the ornithologist on the approach of the monsoon. Nearly all the Kites, Hawks, Vultures, and other carrion-birds disappear from the sea-coast, while the Crows begin to build their nests and hatch their young just at the season that seems most unsuitable for incubation, when the eggs are often shaken out, or the nests themselves are destroyed by the storm, and the poor birds are exposed, in the performance of their parental duties, to all the violence and inclemency of rain and tempest. At the instigation of a sure and unerring instinct, the carnivorous birds, as the rains approach, withdraw themselves from a climate unsuitable to the habits of their young, betaking themselves to the comparatively dry air of the Dukhun, where they nestle and bring forth in comfort, and find food and shelter for their little ones. * * * The scenes connected with this, which follow the conclusion of the rains, are curious enough. While the Mahomedans bury, and the Hindus burn their dead, the Parsees expose their dead in large cylindrical roofless structures, called TOWERS OF SILENCE, where birds of prey at all times find an abundant repast. Their family cares and anxieties over for the season, the carrion-birds, which had left in May for the Dukhun, return in October to Bombay, and make at once for the usual scene of their festivities, now stored with a three months' supply of untasted food. As they appear in clouds approaching from the mainland, the Crows, unwilling that their dominions should be invaded, hasten in flocks to meet them, and a battle ensues in the air, loud, fierce, and noisy; the fluttering of the wings, the screaming and cawing of the combatants, resounding over the island, till the larger birds succeed, and having gained the victory, are suffered henceforth to live in peace."†

In Bengal, the Kites and Brahmini Kites breed chiefly in January

* The curious on this subject may consult with advantage Mr. Hodgson's paper published in the 'Proceedings of the Zoological Society' for 1855, p. 124.

† 'Edinburgh New Philosophical Journal,' Vol. LVI, 337.

and February, and disappear during the rains. The adult 'Adjutants' make their appearance as soon as the rains set in, and becoming in fine plumage towards the close of the rains, depart at that time to breed in the eastern portion of the Sundarbáns upon lofty trees, and along the eastern coast of the Bay of Bengal upon trees and rocks. Vultures are permanently resident; and the Crows propagate chiefly in March and April, their nests being not unfrequently exposed to the fury of the nor-westers and destroyed by them altogether.*

It is only among winged animals that we observe a community of species in the *fauna* of India and of Great Britain; for, among the mammalia, several of the European Bats inhabit the sub-Himaláyan region, but no *quadruped* save the Stoat or Ermine, which is confined to the vicinity of the snowy ranges. The Brown and Black Rats may be presumed to have been introduced into both countries; but, strange as it may appear, we have never seen the *Mus musculus* from any part of India, it being replaced by a different species (the *M. Manei*), of similar habits, which, upon comparison of specimens, is seen to be as distinct from the common Mouse of Europe as the Brown Rat is from the Black Rat. Nevertheless, the European Mouse must necessarily have been often introduced from the shipping, although we have not chanced to observe it.† Of other qua-

* To those who indulge a taste for gardening, the Crows are an intolerable nuisance at this period. We allude to urban and suburban gardens. With creepers especially they commit sad havoc, breaking off not so much the young shoots, as the pliable older stems to construct their nests with. In pure mischief, too, how often have we watched them deliberately tearing the lovely flowers of the *Ipomœa rubro-cœrulea*, one of the most showy and conspicuous ornaments to our gardens during the cold weather, and scattering the fragments of them underneath!

We have just been assured, on authority beyond question, of the curious fact of two Crows' nests being found, entirely and very neatly constructed of the wires used for fastening down the corks of soda-water bottles! As it may well be wondered where such an accumulation of these could be procured, we may remark that Bengali servants are in the habit of treasuring them up till they amount to a saleable quantity; and that enormous heaps of them may accordingly be seen in the shops of some of those very respectable dealers in the Bow Bazar, whose proper avocation is, with similar shops in England, indirectly purported by the announcement—'Dealer in Marine Stores.' The supply of material, therefore, is comprehensible, however curious its application.

† That most hateful animal the Brown Rat (*Mus decumanus*) is nowhere a more intolerable nuisance than in and about Calcutta. The Black Rat (*M. RAT-TUS*) we have only seen from the shipping; and occasionally brown examples of it, which may be distinguished at a glance from the ordinary Brown Rat by those who know the two kinds. It appears to be the Black Rat (or old English Rat, as it is sometimes called), which has nearly or quite exterminated the small frugivorous native Rat of New Zealand (an animal that has never been scientifically described); as itself is believed to be almost extirpated in Britain by the Brown Rat. The habits of the two animals differ, however, to an extent that some think may sufficiently account for the present rarity in Britain of the Black Rat, which does not burrow in the ground like the other, but has its

MARCH, 1857.

T

drupeds, that bear the same popular name, the Wolf of Europe is not the Wolf of India; and the latter is emphatically an animal of the plains, while the former resorts chiefly to hill-forests,—the result in part, perhaps, of centuries of persecution: neither is the common Otter of India, nor any of the Otters of this country (so far as is known), identical with the European Otter; but in the museum of the Asiatic Society there is a specimen of an Otter from Algeria, which (externally at least) is undistinguishable from the common Otter of Bengal, that is so extensively tamed and *trained* along the course of the Brahmaputra, as Cormorants are also trained in China. The Fox of the Himalaya, however, makes a near approach to the European Fox, though considered to be of a different species. In the winged insect-world, there are numerous species common to the two regions: among the most prominent of which, appertaining to the *Lepidoptera*, are the cosmopolite *Cynthia cardui* (or 'Painted Lady' butterfly) at all elevations, the *Papilio machaon* (or English 'Swallow-tail' butterfly) in the Himalaya, the *Colias edusa* (or 'Clouded-yellow' butterfly) and the *Argynnis lathonia* (or 'Queen of Spain') also common in the Himalaya, *Sphinx convolutus* at all elevations, &c.; but others are represented by nearly similar species, which are considered different upon comparison, as the 'Purple Emperor' (*Apatura*) and 'Common Sulphur' (*Gonepteryx*) butterflies, and others which are more obviously different, as *Vanessa vulcania* of the Himalaya compared with *V. atalanta* of Europe. Two species of 'Death's-head' Moths (*Acherontia*) are common to all habitable elevations; and one of these is exceedingly similar to that of England (*Ach. atropos*); but is nevertheless considered by the eminent entomologist Westwood to be distinct. Of marine animals there are also a few pelagic fishes, of which the large Hammer-headed Shark (*Sphyrna zygaena*) is a conspicuous example; but no fresh-water fish whatever. The proposition remains, that community of species in the *fauna* of Great Britain and that of India is all but confined to such as are endowed with the power of flight.

abode upstairs, in old-fashioned gable-roofs and the like; though it should still be found about farm-buildings, if the other did not prey upon it as commonly believed. According to Dieffenbach (whose excellent 'Travels in New Zealand' were published in 1843), "it is a favorite theme" (with the *Maori*) "to speculate on their own extermination by the Europeans, in the same manner as the English Rat has exterminated their indigenous Rat." In Catlin's work on the North American 'Indians' of the far west (Vol. I, p. 194), there is a curious account of the first appearance of the Brown Rat in the Missouri territory, and of its there making havoc with the indigenous 'Deer Mouse' (*Meriones*.) For this reason, it was welcomed and protected at first; but very soon become the same destructive pest among the 'wigwams,' that it everywhere else is.

The more immediate object of this essay, to which it is about time that we thought of advertizing, is not to treat of the general zoology of India, nor even of its birds; but simply to furnish a sort of commentary on the meritorious popular work of Mr. Yarrell, in its bearings upon Indian ornithology. As will be shewn in the sequel, a very large proportion of the feathered inhabitants of the British islands are equally natives of—or seasonal or irregular visitants to—this country; and the statements of the late accomplished and much respected naturalist just referred to, with reference to the distribution of British birds in India, require the illustrations we are about to give, in order that the facts of the case should be apprehended.

It is not enough to state that such and such a bird “has been observed in India:” for the assertion applies equally to a species that may have been met with once or twice only, and is known to be of exceedingly rare occurrence in this extensive range of territory, and to species that are of the most abundant occurrence, oftentimes much more so than in Europe: and we observe not a few instances cited of birds having been obtained in the vicinity of Calcutta, upon authority no doubt admissible did it really exist, but which does not happen to exist, as we chance to have particular reasons to know.

For example, the Chough, or ‘Cornish Chough’ as it is often called (*Fregilus graculus*), an inhabitant of the more elevated regions of the Himaláya and of all high middle Asia, is stated to have been obtained “in the vicinity of Calcutta!” The Raven (*Corvus corax*), too, is asserted to have been “found near Calcutta.” The Magpie (*Pica caudata*) to have been “found in India.” The Starling (*Sturnus vulgaris*), “Calcutta;” *i. e.* caged birds no doubt, but brought from a considerable distance, as we surmise. The Nightingale has been “found in India:” yes, brought from Persia in a cage, viâ Afghânistán, and the species different from the British Nightingale! Various other instances might be adduced.

There are two principal sources of error leading to mistakes of this kind: firstly, the inaccurate determination of species, where different kinds very nearly resemble each other; and secondly, the vague misuse of names, which is probably the more fertile source of error of the two.

Thus, every large black Crow, in whatever region, is sure to be denominated “the Raven:” and hence the true Raven (*Corvus corax*) came to be considered as a bird of almost universal distribution. “It is one of those birds,” writes Mr. Mudie (in his ‘Feathered Tribes of the British Islands’), “which inhabit almost all latitudes, and have their plumage unchanged by varieties of seasons or of climate. Under the line and near the poles, in the

Northern Hemisphere, and in the Southern, under burning sun, and amid chilling cold, it is still the same dark, forbidding, and hoarsely croaking Raven." So much however, is more than can be conceded even of the genus *Corvus* in the aggregate; for it has no representative in all South America, nor in New Zealand and the numerous archipelagos of the Pacific, and there is one species only in Australia. Levaillant's Raven of South Africa, described by him as identical with that of Europe, has been sought in vain by subsequent observers in that region.* The true Raven is pre-eminently a bird of the coldest climates: though a few occur so far southward as in the Barbary States, in America so low as in the Carolinas, and in India proper within the Punjab only. "The Raven," remarks Sir John Ross, "is one of the few birds that are capable of braving the severity of an arctic winter." But the finest account of him is by Von Wrangell, in his most impressive description of the fearful cold of a Northern Siberian winter; when—"Even the Rein Deer seeks the forests to protect himself from its intensity: in the *tundras* [equivalent to the 'barren-grounds' of Arctic America], where there is no shelter to be found, the whole herd crowd together as closely as possible to gain a little warmth from each other, and may be seen standing in this way, quite motionless. Only the dark bird of winter, the Raven still cleaves the icy air with slow and heavy wing, leaving behind him a long line of thin vapour, marking the track of his solitary flight."† Such a bird is not likely, we might suppose, to inhabit the vicinity of Calcutta; and yet it is not safe to leap to conclusions. Not a few migratory species are common to the polar circle and to Lower Bengal, and even further towards the equator, according to season: but the individual birds may not migrate so far north and south. The climate of Britain being "insular," and less "excessive" than that of the European continent even further south, great numbers of Song Thrushes and other birds which are resident throughout the year in Britain, are known to arrive from the continent in autumn and depart in spring; and in France and Germany the same species are migratory to a far greater extent than in England, proceeding of course further southward to pass the winter. The *Calliope camtschatkensis* (a delicate little bird much like a Nightingale, but with a brilliant ruby-throat), which is not rare in the vicinity of Calcutta during the cold season, arrives "early in April, with the Snowfleck, in the Lower Kolyma district" in Northern Siberia (as we are told by Von Wrangell);‡ that is to

* *Comptes Rendus*, xxxvii, 830.

† Narrative of Expedition to the Polar Sea, Sabine's translation, p. 390.

‡ Ibid, p. 52.

say, before the last of them have left Bengal : but it is remarkable that we have never seen this bird in the very numerous collections from the Himaláya examined hitherto ; though another and non-migratory species of the same genus (*C. pectoralis*), peculiar so far as known to the Himaláya, is of common occurrence in such collections. It is, however, enumerated in Mr. Hodgson's list of the birds of Nepal : still it seems to follow that the *C. camtschatkensis* does not breed extensively on this side of the snow ; although our Bengal birds may not have to find their way quite so far as to Northern Siberia to pass the summer. The Hoopoe (*Upupa epops*), another species common in Lower Bengal during the cold season, is, to all appearance, a bird of fluttering and feeble flight ; but has repeatedly been observed, during the seasons of migration, at altitudes considerably above the limits of vegetation. " On the western side of the Lánák pass, about 16,500 feet, I saw a Hoopoe," writes Major Cunningham ;* and at Momay (14,000 to 15,000 feet elevation), under the lofty Donkia pass in Northern Sikkim, Dr. J. D. Hooker observed, in the month of September, that—" Birds flock to the grass about Momay ; Larks, Finches, Warblers, abundance of Sparrowst (feeding on the Yak droppings), with occasionally the Hoopoe-waders, Cormorants, and wild Ducks, were sometimes seen in the streams, but most of these were migrating south"—and the late Bishop of Norwich (Dr. Stanley) has recorded that a Hoopoe " approached a vessel in the middle of the Atlantic, and kept company with it a good way, but did not settle on board, which it probably would have done had it been tired."

While on this subject, a more surprising instance of endurance can hardly be cited, than that of the feeble tiny Goldcrests (*Regulus cristatus*) crossing the German Ocean in multitudes, to pass the winter in the milder climate of England. " On our eastern coast," remarks Mr. Yarrell, " at the end of autumn, this species occasionally arrives in flocks. Mr. Williamson of Scarborough has observed this on the coast of Yorkshire ; and Mr. Selby has recorded that on the 24th and 25th of October, 1822, after a very severe gale, with thick fog from the north-east, but veering towards the conclusion to the east and south of east, thousands of these birds were seen to arrive upon the sea-shore and sand-banks upon the Northumbrian coast ; many of them so fatigued by the length of their flight, or perhaps by the unfavorable shift of wind, as to be unable to rise again from the ground, and great numbers must have been caught or destroyed. This flight must have been immense in quantity, as its extent

* 'Ladák,' &c. p. 205 : i. e. nearly 1,000 ft. higher than the summit of Mont Blanc !

† The only Sparrow which we have seen from Sikkim is the *Passer montanus*.

was traced along the whole line of the coasts of Northumberland and Durham!" Multitudes of them doubtless perished in the waves; and the writer of this article has known instances of their alighting in considerable numbers upon the yards and rigging of small coasting vessels.

In an unpretending work, entitled 'a Familiar History of the Nature, Habits, and Instincts of Birds,' by the Rev. E. Stanley (afterwards Bishop of Norwich), in the account of the Meadow Pipit (*Anthus pratensis*), the following passage occurs:—"But a still more extraordinary instance, both as regards distance from land and situation, is that of a common Titlark having alighted on board a vessel from Liverpool, in latitude $47^{\circ} 4'$ south, longitude $43^{\circ} 19'$ east, at a distance of at least thirteen hundred miles from the nearest mainland of South America, and about nine hundred from the wild and barren island of Georgia. The poor little traveller was taken and brought to Liverpool, where it was seen by Dr. Traill, one of our most eminent naturalists." This passage is quoted in Mr. Yarrell's second edition, but is expunged from his third. The fact being, as we learn from the 'Zoology of the Voyage of the Beagle,' that the species was no doubt erroneously identified with the European *A. pratensis*; being far more probably of the nearly affined species, *A. correndera*, which inhabits La Plata, Chili, and the Falkland Islands; and Mr. Darwin was informed, by an intelligent sealer, that it is the only land-bird in Georgia and South Orkney (lat. 61° S.): "it has, therefore," he adds, "probably a further range southward than any other land-bird of the Southern Hemisphere." Still the capture of a specimen so many hundred miles from the nearest land is worthy as ever of citation, as a most surprising occurrence.

When such journeys are known to be performed by creatures so feeble to all appearance as the diminutive Goldcrest, which on land is seldom observed to flit a distance of many yards, we are the less surprised to learn of the wondrous feats achieved by birds of powerful wing, the 'Passenger Pigeon' of America for example; of which the accompanying often cited instance may nevertheless be quoted from Audubon's 'Ornithological Biography.' "Their great power of wing enables them to survey and pass over an astonishing extent of country, in a very short time. Thus, Pigeons have been killed in the neighbourhood of New York, with their crops full of rice, which they must have collected in the fields of Georgia and Carolina, those districts being the nearest in which they could possibly have procured a supply of such food. As their power of digestion is so great, that they will decompose food entirely in twelve hours, they must, in this case, have travelled between three and four hundred miles in six hours, which shews their speed to be, at an average,

' about one mile in a minute. A velocity such as this would enable one of these birds, were it so inclined, to visit the European continent in less than three days."

In the preface to Mr. Yarrell's third edition, now under review, the following truly astonishing fact is recorded, in the words of Sir John Richardson, the well known eminent naturalist and enterprising arctic voyager, and companion formerly of Sir John Franklin. "With respect to Sir John Ross's Pigeons, as far as I can recollect, he despatched a young pair on the 6th or 7th of October, 1850, from Assistance Bay, a little to the west of Wellington Sound; and on the 13th of October, a Pigeon made its appearance at the dove-cot in Ayrshire, from whence Sir John had the two pairs of Pigeons which he took out. The distance direct between the two places is about 2,000 miles. The dove-cot was under repair at this time, and the Pigeons belonging to it had been removed; but the servants of the house were struck with the appearance and motions of the stranger. After a short stay it went to the pigeon-house of a neighbouring proprietor, where it was caught, and sent back to the lady who originally owned it. She at once recognised it as one of those which she had given to Sir John Ross: but, to put the matter to the test, it was carried into the pigeon-house, when out of many niches it directly went to the one in which it had been hatched. No doubt remained in the mind of the lady of the identity of the bird."

"By what extraordinary power," remarks Mr. Yarrell, "did this interesting bird find its way; and by what route did it come?" Remembrance of objects seen will surely not suffice in crossing so vast an expanse of ocean. We will revert to this subject presently. There are, however, also instances of land-birds having been observed to wing their way across the breadth of the Atlantic! The late M. Audubon told Mr. Yarrell (as he likewise assured the writer who now cites him) that "on one of his voyages between this country" (Britain) "and America, and when 300 miles from the west coast of Ireland, he saw a Peregrine Falcon pass over the vessel in rapid and vigorous flight; the direction pursued being on a line to the Azores."

Again, "the Owls, though some of them only are migratory, from the lightness of their bodies and the large expanse of their wings, appear to fly without much labour. The nephew of Dr. Jenner, when on board a vessel going in a direct course for Newfoundland, and more than 100 leagues from any land, saw a Brown Owl gliding over the ocean with as much apparent ease as when seeking for a mouse over its own native fields."

"The late William Thompson of Belfast," continues Mr. Yarrell, in his 'Natural History of Ireland' (Vol. 1, p. 102),

"records, from the log-book kept on board the 'John and Robert' of 500 tons, Captain M'Kechnie, from Quebec to the port of Belfast, that from thirty to forty Snowy Owls were seen on the 16th of November, 1838, when the vessel was 250 miles from the Straits of Belleisle. Several followed the ship: from fifty to sixty were seen on the 18th, some alighting on the rigging and yards; three were caught and taken to Belfast alive: the last of those seen at sea was on the 20th November, the vessel then being near 700 miles from Belleisle, and sailing along in lat. 54°, or nearly so. The ship arrived at Belfast early in December; but had been driven out of her course in the commencement of the voyage by contrary winds."

As many as twenty-six species, which can only be considered as stragglers from America, are included in the third edition of Mr. Yarrell's 'History of British Birds.' Of these, two belong to the *Raptorial* order, viz., *Nauclerus furcatus* and *Strix* (*Scops*) *asio*; five are *Insectorial*, viz., *Loxia leucoptera*, *Agelaius phœniceus* (!), *Coccyzus americanus*, *Ceryle alcyon* (!), and *Progne purpurea*; one Pigeon, *Ectopistes migratorius*; ten waders, viz. *Botaurus lentiginosus*, *Numenius borealis*, *Totanus Bartrami*, *T. flavipes*, *T. macularius*,* *Macrorhamphus griseus*, *Tringa rufescens*, *Tr. pusilla*, *Tr. Schinzii*, and *Tr. pectoralis*; and eight *Natatorial*, viz. *Anser canadensis*, *Anas* (*Mareca*) *americana*, *Oidemia perspicillata*, *Fuligula mariloides*, *Clangula albeola*, *Mergus cucullatus*, *Larus Bonaparti*, and *L. atricilla*.† Of numerous species of birds that are common to Europe and America, a large proportion are equally abundant throughout the circuit of northern regions; others are commoner in America than in Europe, and *vice versâ*; and of course every proportion exists, until the decision becomes arbitrary whether a species is to be regarded as a mere straggler on either side, or otherwise. Thus the *Oidemia*, *Clangula*, *Mergus*, and one or two others, ought rather perhaps to be considered as species regularly inhabiting both sides of the Atlantic, however rare on the European side. Most, if not all, of them are birds which attain to high northern latitudes, and especially visit Greenland during the summer, a meridian from which they are liable to be wafted out of their regular course of migration. The common Wheatear is an English (and also Indian) bird which visits Greenland in summer; and, though unknown in the United States, it has been killed in the Bermudas: so also has the British Sky Lark, and the Corn Crake or Land-rail (*Crex pratensis*).

* M. Malherbe records the occurrence of an example of this common American bird in Algeria.

† To the above may be added *Ortyx virginiana*, as an introduced species.

But to return to India. Dr. J. D. Hooker's sketch of the grand but most desolate panorama beheld by him from the summit of the Donkia Pass (18,466 feet elevation) ought to be familiar to the recollection of most readers; and he elsewhere remarks that—"No village or house is seen throughout the extensive area over which the eye roams from Bhomtsao, and the general character of the desolate landscape was similar to that which I have described as seen from Donkia pass. The Kiang grazing with its foal on the sloping downs, the Hare bounding over the stony soil, the Antelope* scouring the sandy flats, and the Fox stealing along to his burrow, all are desert and Tartarian types of the animal creation. The shrill whistle of the Marmot alone breaks the silence of the scene, recalling the snows of Lapland to the mind; † while the Kite and Raven wheel through the air, with as steady a pinion as if that elevation possessed the same power of resistance that it does at the level of the sea. Still higher in the heavens, long black V-shaped trains of wild Geese cleave the air, shooting over the glacier-crowned top of Kinchinjhow, and winging their flight in one day, perhaps, from the Yaru to the Ganges, over 500 miles of space, and through 22,000 feet of elevation: one plant alone, a yellow lichen (*Borrera*) is found at this height, and that only as a visitor; for, Tartar-like, it migrates over the lofty slopes and ridges, blown about by the violent winds. I found a small beetle at the very top, probably blown up also; for it was a flower-feeder, and seemed benumbed with cold." ‡

The astonishing elevation at which the giant Condor sails above the Andes, as described by Alexander Von Humboldt and other observers, will doubtless recur to the memory of many readers.

"An enormous quantity of water-fowl," remarks the same scientific traveller, Dr. Hooker, "breed in Tibet, including many Indian species that migrate no further north. The natives collect their eggs for the markets of Jigatzi, Giantchi, and Llassa, along the banks of the Yaru river, Ramchoo, and Yarbru and Dachen lakes. Amongst other birds, the *Sáras*, or giant Crane of India (see Turner's Tibet, p. 212) repairs to these enormous elevations to breed. The fact of birds characteristic of the tropics dwelling for months in such climates is a very instructive one, and should be borne in mind in our speculations on the climate supposed to be indicated by the imbedded bones of birds." We may remark that the *Sáras* (*Grus antigone*) also breeds south of the Himaláya;

* The *Tchiru* and also the *Goa* (*Procapra picticaudata* of Hodgson.)

† We are unaware of the existence of Marmots in Lapland!

‡ MM. Huc and Gabet must have seen much of this kind of scenery, sublime in the overwhelming grandeur of its dreariness,

and that specimens too young to fly are occasionally brought for sale even to Calcutta.*

Again, Major Cunningham, in his 'Ladák,' &c., remarks that "the water-fowl swarm on the lakes and on the still waters of the Upper Indus. I have shot the wild Goose on the Thogji, Channo, and Chomoriri lakes at 15,000 feet; and Col. Bates and I shot three Teal on the Suraj Dal, a small lake at the head of the Bhága river, at an elevation of upwards of 16,000 feet : " but the time of the year is not mentioned by this author.†

Those birds which are common to India and the polar circle appertain for the most part, as might be supposed, to the wading and web-footed orders; and a few of them are of very general distribution over the world, as especially the common Turnstone (*Strepsilas interpres*), which seems to be found on every sea-coast. The *Lobipes hyperboreus* is a little arctic bird, of rare occurrence even in the north of Scotland, Orkney and Shetland: but a specimen was not long ago procured near Madras (!) which is now in the Calcutta museum;‡ and there also may be seen an example of the nearly related *Phalaropus fulicarius*, obtained so late in the year as May 11, 1846, in the

* Turner, describing the lake "Ramtchieu," remarks,—“This lake is frequented by great abundance of water-fowl, wild-geese, ducks, teal, and storks, which, on the approach of winter, take their flight to milder regions. Prodigious numbers of saurasses, the largest species of the crane kind, are seen here at certain seasons of the year, and they say, that any quantity of eggs may there be collected: they are found deposited near the banks.

“I had several of them given to me when I was at Tassisudon, during the rains; they were as large as a turkey's egg, and I remember being told that they came from this place; but whether or not they were those of the Sauras, I cannot venture to pronounce.”

We have known instances of the *Sáras* breeding in captivity, when a pair is allowed the range of a large walled garden (protected from Jackals) containing shallow inundated enclosures for the growth of rice: in these the nest is commenced under water, and raised for some inches above the surface; and the eggs are two in number, about 3½ inches long by 2½ inches broad, of a bluish-white, with a few distantly placed rufous specks and blotches.

The nest of the European Crane (*Grus cinerea*), also a common Indian bird, is thus described by Major Lloyd, as observed by himself in Scandinavia, “It usually breeds in extended morasses, far away from the haunts of men. It makes its nest, consisting of stalks of plants and the like, on a tussock, and often amongst willow and other bushes. The female lays two eggs,” &c.

† The reader, curious on the subject of the migration of Indian birds, should consult a paper by B. H. Hodgson, Esq., in the 18th volume of the Asiatic 'Researches,' Part II., 122.

‡ A pair of these birds were obtained in Bermuda in the spring of 1848. “The male was found dead, floating in Riddle's Bay, on the 18th March, and had probably struck the lantern of the iron light-house (which is immediately above) during its nocturnal flight from the southward. The female, in ruddy plumage, was found swimming at the head of Hamilton Water, where it was killed on the 22nd March, by a blow from a stick.” (Lieut. Wedderburn, in Sir W. Jardine's *Contributions to Ornithology*.) The Prince of Canino also records the occurrence of this species in Nicaragua.

Calcutta provision-bazar: it was wretchedly thin, but in clean winter plumage, the seasonal change of colour having not even commenced. The well-known naturalist of the Madras Presidency, Dr. T. C. Jerdon, obtained in Southern India a single example of a little Australian Plover, *Hiaticula nigrifrons*, which figures in his catalogue as a supposed new species by the synonyme *H. russata*. No doubt other such stragglers occur, not very unfrequently; but are little noticed here from the paucity of observers: whereas, in Britain, thanks to the popularity of such books as that especially under review, the number of qualified observers is proportionally far greater, and any uncommon bird exposed for sale at a poulterer's shop, or observed alive and at liberty, is tolerably sure of being correctly identified and duly recorded.

With reference to Sir John Ross's Pigeon finding its way back to its home in Scotland from the Arctic regions, the very great number of well-authenticated instances on record should be borne in mind of Dogs, Cats, Horses, Cattle, &c., in like manner returning to their homes from prodigious distances; and oftentimes by a direct route, instead of the circuitous route by which they had been driven or carried away. There is Mr. Jesse's anecdote of the *lame* Turtle (deprived of one of its flippers, and indelibly marked as usual with the hot iron upon its under-shell), cast sick into the British Channel, and being found three years afterwards again upon Ascension Island, where it had been first taken. The phenomenon of Bees, too, returning to their hives from enormous distances; and the well-ascertained fact of small migratory land-birds returning, year after year, to the place of their nativity; although they are known to migrate by night, traversing seas and continents and passing over the loftiest mountain chains!* Memory of objects seen and noted

* In former times, it was a current belief that Swallows did not migrate, but *hybernated*, and that *under water*! As if the protracted immersion alone would not have ruined their feathers, which happen to be renewed during the period of absence of these birds from their breeding-haunts. Of the many little *short-winged* birds that leave Europe for a warmer clime in winter, nobody seems to have thought about *their* hybernating; but only the *long-winged* Swallows! Well, the experiment was tried of fastening threads tinted with water-colours to the legs of a number of Swallows, with a view to ascertain if such colours would be soaked out during the disappearance of the birds. The latter returned, sure enough, with the coloured threads in due preservation; but the fact was established of the same individuals having returned from their migration! Abundant other evidence exists, however, for this remarkable fact. It is well known that the Nightingale, reared from the nest, never acquires its proper song, but warbles forth a strange and inferior medley of whatever it may have heard and picked up: a bird of this sort was reared by Mr. Sweet, a well-known writer upon singing-birds, who turned it loose into his garden; there it remained until the season for migration, when it disappeared; but the next season it was back again, tame as ever, and at once distinguished by its peculiar song-notes.

will surely not suffice in these cases. Nay, the same mysterious faculty has even been asserted in the case of human beings in the savage state; as by Captain J. Lort Stokes, a scientific officer, who commanded the 'Beagle' in her last surveying voyage (1837-43) on the coasts of Australia. His statement, which we quote for whatever it may be considered as worth, relates to a native of New Holland, who accompanied him for a long while, by sea and by land. "Mungo," he tells us, "had a decided and 'most inexplicable advantage over all on board, and that in a matter especially relating to the science of navigation. He could indicate at once and directly the exact direction of our wished for harbour, when neither sun nor stars were shining to assist him. He was tried frequently, and under very varying circumstances; but, strange as it may seem, he was invariably right. This faculty, though somewhat analogous to one I have heard ascribed to the natives of North America, had very much surprised me when exercised on shore; but at sea, out of sight of land, it seemed beyond belief, as assuredly it is beyond explanation."—*Narrative of Voyage*, I. 222.

Mais revenons a nos Corbeaux. In a catalogue of the birds procured in the course of the expedition into Asám in 1838, published in the 'Proceedings of the Zoological Society' for the following year, we read that "the Raven, the Carrion Crow, and the Rook, are inhabitants of Asám, but are seldom found in the depths of the forests. They rather follow the footsteps of man, and establish themselves in small numbers in the vicinity of villages and such places on the banks of rivers as are frequented by travellers as halting places. The Hooded Crow is very common, but I did not perceive any thing peculiar about it," remarks the writer, "to induce me to add it to my collection."

The foregoing paragraph is tolerably circumstantial: but will it be believed, that not one of the four British species mentioned inhabits the province, or is at all likely to be found in it! The Tibetan Raven (considered as a peculiar species by Mr. Hodgson, an opinion to which the Prince of Canino seems to incline, but which we still suspect remains to be tested by far more satisfactory evidence than at present,) may be presumed to inhabit the lofty mountains of Butan to the north, but assuredly not the

The Hon'ble and Rev. W. Herbert reared a nest of young Willow-wrens, and having more than he wanted of them, turned one loose into his garden, where it stayed for the remaining weeks of the season, occasionally entering the house to feed with its fellow-nestlings; it then disappeared, with the rest of its species; but in the following spring was again tapping at Mr. Herbert's window to be let in! We have heard of other cases, equally conclusive; among the rest, that of a lame Redstart which returned for eleven years to the same garden!

valley of Asám: and the Hooded Crow referred to is no other than our Calcutta noisy friend, known in systems as the *C. splendens*; while the common black Crow of all India, *C. culminatus*, would seem to stand here alike for the 'Raven,' the 'Carrion Crow,' and the 'Rook!' Naturalists at home may well be pardoned for being led astray by such utterly reckless mis-statements. The true Rook (*Corvus frugilegus*) however, is known to inhabit or visit the Pesháwur valley, Afghánistán, and Kashmir (the Rook of China and Japan being considered a distinct species, *C. pastinator* of Gould;) and the Jackdaw (*C. monedula*) accompanies it in those countries, while the true northern Raven is met with not only there, but also over a great portion of the Punjáb. In other parts of India the comparatively small *C. culminatus* is popularly known to Europeans as "the Raven:" but the northern Raven would make a meal of one and not feel much the worse for it! For that matter, quoth the Scottish proverb, "Hawks dinna pick Hawks' een!" Be not so sure of that, if we may be indulged in another curious digression. Nay, if we mistake not, the British Raven is accused of plundering rookeries of the helpless callow broods; and would doubtless pounce upon a disabled Crow without mercy, as even the Lion and the Tiger have been known to kill and devour their wounded comrades.

Dr. Francis Buchanan Hamilton, remarking upon the hawking or falconry observed by him in the Sháhábád district, mentions that "the only pursuit worth notice that I saw in several days' hawking was from a large bird of prey named *Jimach*, which attacked a very strong Falcon as it was hovering over a bush into which it had driven a Partridge. The moment the Falcon spied the *Jimach* it gave a scream, and flew off with the utmost velocity, while the *Jimach* equally pursued. They were instantly followed by the whole party, foot, horse, and elephants, perhaps 200 persons, shouting and firing with all their might; and the Falcon was saved, but not without severe wounds, the *Jimach* having struck her to the ground; but a horseman came up in time to prevent her from being devoured."*

The *Wokháb* or *Ukáb*, as it is also termed, is a small Eagle, very abundant in the plains of Upper India, the Dukhun, &c., bearing many systematic names, the earliest of which is *Aquila fulvescens*; for it is a different bird, not quite so large and robust, as the *Aq. naevioides* of Africa, with which it has been supposed identical. The Hon'ble Walter Elliot, of the Madras C. S., remarks of it—"The *Wokháb* is very troublesome in hawking, after the sun becomes hot, mistaking the *jesses* for some kind of

* Montgomery Martin's compilation from the Buchanan Hamilton MSS., Vol. I., 505.

prey, and pouncing on the Falcon to seize it. I have once or twice nearly lost 'Sháhins' (*Falco peregrinator*) in consequence, they flying to great distances for fear of the *Wokháb*,"* i. e. the Jimach.

Dr. Austen H. Layard relates the same story, in his second publication—"Discoveries in the Ruins of Nineveh and Babylon," &c. (p. 298.) His friend Suttum, he writes, "came with us, carrying his Hawk, Hattáb, on his wrist.

"The plain, like all the country watered by the Khábour, was one vast meadow teeming with flowers. Game abounded, and the Falcon soon flew towards a Bustard, which his piercing eye had seen lurking in the long grass. The sun was high in the heaven, and already soaring in the sky was the enemy of the trained Hawk, the "Agáb," a kind of Kite or Eagle, whose name, signifying 'butcher,' denotes his bloody propensities.† Although far beyond our ken, he soon saw Hattáb, and darted upon him in one swoop. The affrighted Falcon immediately turned from his quarry, and with shrill cries of distress flew towards us.

"After circling round, unable from fear to alight, he turned towards the desert, still followed by his relentless enemy. In vain his master followed as long as his mare could carry him, waved the lure, and called the Hawk by his name; he saw him no more. Whether the noble bird escaped, or fell a victim to the 'butcher,' we never knew.

"Suttum was inconsolable at his loss. He wept when he returned without his Falcon on his wrist, and for days he would suddenly exclaim 'O Bej! Billah! Hattáb was not a bird, but my brother!' He was one of the best trained Hawks I ever saw among the Bedouins, and was of some substantial value to his owner, as he would daily catch six or seven Bustards, except during the hottest part of summer, when the Falcon is unable to hunt."†

The exciting sport of falconry, it may here be remarked, in which the higher classes of the West so much indulged of yore, is doubtless of oriental origin; though at what period, during the Roman domination, it was introduced among the Teutonic nations, is not so clear. Julius Firmicus, who died in the middle of the fourth century, is said to be the first Latin writer who speaks of falconers and the art of teaching one species of bird to fly at and catch another. The garniture of the trained Hawks cannot be traced in Europe prior to the crusades: in the famous Bayeux tapestry, for instance, these birds

* 'Madras Journal of Literature and Science,' X., 68.

† "Easterns never hawk, if they can avoid it, when the sun is high, as the bird of prey described in the text then appears in search of food." (Layard.)

are represented as being carried on the wrist unhooded. The principal species employed are identical in the two regions; namely, the *Bauri* of India, which is the Peregrine Falcon of the West; and the *Báz* of India, which is the Goshawk or 'Gentil Falcon' of Britain. In a curious Persian treatise on the subject, by the head falconer of the Mogul Emperor Akbar, the various species used are enumerated, and may be recognised with precision: among them is the *Shangar*, which is clearly the Jer Falcon of the north; represented as extremely rare and valuable, taken perhaps once or twice only in a century, and then generally in the Punjab. The *Sháhin* (*Falco peregrinator*), another favorite Indian Falcon, does not inhabit Europe, but is clearly the *Falco ruber indicus* of Aldrovand, rather than the small hobby-like Indian species (*F. severus*), on which Temminck bestowed the name *F. Aldrovandi*. With five or six exceptions only, the whole of the European diurnal birds of prey are met with in India, many of them being much commoner in this country; and they are associated with numerous other species unknown in Europe. The sport of falconry is widely diffused over Asia, even to the Malays; but whether extending to China and Japan, we are unaware.

It may further be noticed that the "quarry" hawked by Dr. Layard's Bedouin companions on the great plain of Mesopotamia, and rightly enough denominated by him a "Bustard," is no other than the Houbara (*Houbara Macqueenii*) of Sindh and Afghánistán; being a different species from that of Spain and North Africa (*H. undulata*;) and it appears that the former has most unexpectedly turned up, of late years, in England and Belgium, if not also in Denmark,—a single stray individual in each country! Accordingly, it is figured and described in Mr. Yarrell's 'History of British Birds,' with other stragglers as little properly appertaining to the British fauna,—among them an African Bulbul (*Pycnonotus auriventer*), the 'Col d'or' of Levaillant, upon the authority of one undoubted occurrence of this bird, and the only instance known of its having been observed in Europe. Mr. Yarrell's object was to figure and describe every species which had found its way to the country, unaided by man; for, of course, any that had thus made its appearance once might do so again: and he also represents such introduced species as seem to have fairly gone wild, as the Pheasant, two kinds of Red-legged Partridge, and even the Virginian Colin (*Ortyx virginiana*.) Upon this principle, the list of British birds is likely to increase indefinitely, especially now that such pains are taken and expense incurred to introduce exotic game birds and water-fowl into the country.

But why, when the Asiatic Houbara is admitted, certain other

birds (which seem to have an equal or even better claim) have been rejected, in Mr. Yarrell's third edition, remains to be explained. For example, the handsome Bimaculated Duck (*Anas bimaculata*); the more especially, as besides the instances of its occurrence given in the text, we read, in the preface to the second edition, that "during the month of January last, 1843, Mr. Bartlett met with a specimen of this very rare Duck in the London market, which I have had several opportunities of examining," said Mr. Yarrell. Again, we have been assured that an example of the great spiny-tailed Swift of the Himaláya (*Acanthylis nudipes* of Hodgson) was obtained, a few seasons back, in England "in the flesh." Mr. Gould identifies this British-killed bird with his *Ac. caudacuta* of Australia; and remarks (in the preface to his grand work on the birds of Australia) that "I have alluded to the great wing-powers of the birds of the genus *Acanthylis*; in confirmation of which I may mention that an individual of this species was killed in England during the past year (1847.) It would be interesting to know," continues Mr. Gould, "the route pursued by the bird in travelling so great a distance as it must have done." Nothing very extraordinary, if identical with the Himaláyan species; and assuredly we can detect no difference upon comparing Himaláyan specimens with Mr. Gould's plate. Moreover, it is remarkable that whilst the great Alpine Swift (*Cypselus melba*) is common to the Himaláya, the Nilgiris, and high mountains of Ceylon, the great *Acanthylis* of the Himaláya has never been observed in S. India, but is replaced in the Nilgiris, Ceylon, and also across the Bay of Bengal, (in Penang, &c.) by a distinct species, the *Ac. gigantea*.

Unless we have been misinformed, both Gold and Silver Pheasants were turned out, many years ago, in the park at Clermont; and have thriven and multiplied much faster under such circumstances, than when every care has been taken with them in confinement. Both species, it is well known, are inhabitants of China; but it is less known that the Golden Pheasant, according to M. Temminck, inhabits not only China and Japan, but the northern parts of Greece, as also Georgia and the Caucasus; and it has been met with even in the province of Orenbourg. M. Degland informs us, that M. Gamba, French Consul at Tiflis, met with this gorgeous bird in numerous flocks on the spurs of the Caucasus which extend towards the Caspian sea; and that now it has gone wild and multiplied in some of the forests of Germany. In the opinion of Baron Cuvier, the ancient descriptions of the 'Phoenix' were founded on some vague idea or tradition of the Golden Pheasant; which seemed unlikely so long as this gaudily coloured bird was known only as an inhabitant of the extreme East; though now we may well suppose that it had

occurred, as an excessive rarity, to the early Greeks, and that it has subsequently increased and multiplied in regions which were more or less known to them. No notice is taken of the *Acanthylis* in Mr. Yarrell's work: and quite recently we find that a dead Pelican was found upon the coast of Durham; though such a bird might have escaped from captivity.*

As regards the Bulbul, which he inserts, as before noticed, it is classed by him as a Thrush (*Turdus*;) while his 'Rock Thrush' (*Oroectes saxatilis* of modern nomenclature,) a bird truly appertaining to the group of Thrushes, is referred by him to a separate genus (*Petrocincla*.) The Bulbul has no sort of claim to be thus classified; for it belongs to quite a different natural family, comprising very numerous species and many generic divisions, all of which are peculiar to Africa and Southern Asia and its archipelago. These birds are familiarly known as 'Bulbuls' in India; but must not be confounded with the Persian Bulbul, which is a species of true Nightingale (*Luscinia*;) a genus very closely related to some of the small Thrushes of America. We have no true Nightingale wild in India; but the 'Sháma' (*Cercotrichas macrourus*;) undoubtedly the finest song-bird of this part of the world,† is not unfrequently designated the Indian Nightingale, a misnomer which only leads to confusion. Thus Dr. J. D. Hooker, in his most interesting work on the Sikhim Himaláya, twice notices "the Nightingale," as having been heard by him; but at a time of the year at which no real Nightingale ever sings. Every one familiar with the true Nightingale knows that it regularly ceases to sing, somewhat abruptly, about the beginning of the month of June, and this alike whether it has young to tend in the wild state, or when confined in a cage; and captive Nightingales recommence their song, if in health and vigour, about January, and continue in full song for two months or more before their wild brethren arrive from their southern haunts. This bird never sings out of season. Accordingly, we have no hesitation in declaring that Dr. Hooker's "Nightingale" refers to some other bird, and most probably to the Sháma. "On the 4th October," he remarks, "I heard the Nightingale for the first time in the season;" and when at Pemiongechi (a former capital of Sikhim), in January, he notices that "Nightingales warble deliciously night and morning, which rather surprised us, as the minimum thermo-

* 'Zoologist.' Nov. 1856, p. 5321.

† It is common to India and the Malay countries; and there is a second species (*C. luzoniensis*) in the Philippines, and a third (*C. erythropterus*) in Africa. We may remark that the *Oroectes cinclachyncha* is also termed Sháma in the Madras Presidency. Our esteemed Indian songster is le *Merle tricolor de longue queue* of Levaillant (*Oiseaux d'Afrique*, pl. 114).

meter fell to 28°, and the ground next day was covered with hoar frost. These birds migrate hither in October and November, lingering in the Himaláyan valleys till the cold of early spring drives them further south, to the plains of India, whence they return north in March and April." Among the numerous collections of Sikhim birds which we have examined, no specimen of a Nightingale has ever occurred: nor is the bird enumerated in Mr. Hodgson's lists of the species inhabiting that region. Yet Mr. Yarrell would surely have been justified in citing the high authority of Dr. J. D. Hooker, for assigning Sikhim as a *habitat* for "the Nightingale," and inferring its existence over a far more extensive region, where this famous songster is equally unknown. As well might the American Mocking-bird be cited as an inhabitant of India, because the *Bhim-ráj* (*Edolius paradiseus*) is popularly denominated "the Mocking-bird" by Europeans!*

A more prevalent misnomer we will here refer to. Why do several eminent naturalists persist in ignoring the very great difference between 'Storks' and 'Cranes,' in their total appearance, habits, anatomy, mode of breeding, and everything besides, excepting that both happen to be long-legged birds? They do so by designating the *Hurgila* or 'Adjutant' (*Leptoptilus argala*) "the gigantic Crane!" Owen, Falconer, and others may be cited in illustration; and the late Superintendent of the Calcutta Botanic Garden would habitually correct those who termed our Indian Crocodiles by their more popular name of 'Alligator,' albeit the distinctions between a Crocodile and an Alligator are of much less physiological importance than those between a Crane and a Stork! Old Æsop knew better, when he wrote his fable about the Stork netted in the bad company of the Cranes, and being condemned for such association. Now the words *Crane* and *Grus*, and the Hindustáni names of the three common Indian species, *Sáras*, *Karráñch*, and *Kákarra*, all have reference to the loud trumpeting of these birds, which have a curious internal conformation resembling that of the Trumpeter Swans;† whereas the Storks

* We doubt if Dr. Hooker would have styled the *Caragana gerardiana* by its common name of 'Tartarian furze,' unless with the significant prefix "so-called!"

† The ridge or keel of the breast-bone, common to all birds that fly, is in the Cranes, belonging to the restricted genus *Grus*, and in the Trumpeter Swans, expanded so as to form a cavity, which the windpipe is prolonged to enter and reprocessed from, after describing a vertical convolution therein. Mr Yarrell's figure of this curious structure, as it exists in the Hooper Swan (*Cygnus musicus*), is, in a general way, illustrative of it as observed in our three ordinary Indian Cranes (*Grus antigone*, *Gr. cinerea*, and *Gr. virgo*; the *Gr. leucogeranus*, which occurs rarely in the North West provinces, I have not had the opportunity of examining.) In the great Trumpeter Swan of North America (*Cygnus*

are voiceless birds, having actually no vocal muscles, and can make no sound but by clattering their mandibles together, which they do pretty loudly. In Australia, somehow, what in India we call 'White Paddy-birds,' and in Britain are the much prized Egrets, have come to be denominated 'Cranes;' and the real Crane of that country is known as the 'Native Companion.'

While on the subject of misnomers, and bearing more especially on the *fauna* of this country, we should not omit to notice the excessively vague idea which some writers will persist in attaching to the word 'India,' and to the tropical appellation *indicus* derived from it. For instance, not long ago, Mr. Gould described a new Wryneck by the name *Yunx indica*; although the bird referred to does not appear to have been met with in India, properly so called, but in Afghânistân and Tibet! We could cite other instances of Afghânistân being thus most erroneously alluded to as physically appertaining to India; in such form as this—"inhabits India, Afghânistân," with reference to a species unknown in India proper, as the *Lagomys rufescens* of Gray, which is a little quadruped found on the mountains of Afghânistân, and perhaps onward to the Hindu Kosh, but which is very unlikely to inhabit the Indian side of the passes. Again, Mr. Gould describes a kind of Nuthatch to inhabit the high mountains of "Central India;" meaning thereby the Himalâyan masses towards Kashmir, for the bird in question is unknown in Central India, properly so designated. Then we still hear of "trans-Gangetic India" and of "Netherlands India" (or the archipelago), with the term *indicus* referring to either! Even Professor Owen thus denominated the Dugong of the archipelago *Halicore indicus*,

buccinator), the trachea even performs a second vertical convolution; while in the second wild Swan of North America (*C. americana*) and in the nearly affined Bewick's Swan (*C. Bewickii*), it is prolonged to form a horizontal loop in the body of the sternum, posterior to the vertical convolution within the keel,—that is, in general, for the writer has examined several Bewick's Swans, and has observed that some specimens do not differ in this respect from the Hooper Swan, albeit of full age and development, to all appearance. In a newly hatched Hooper Swan examined by him, not even an indication of the peculiar structure described could be detected: nor does it occur in the two species of Crowned Crane (*Balearica*), nor in the Mute Swans (*Cygnus olor*, *C. immutabilis*, *C. atratus*, *C. nigricollis*), nor probably in the *C. coscoroba* of South America; but the Crowned Cranes exhibit one curious anomaly in the organ of voice, which is, that the long tendinous muscles, the office of which is to contract the windpipe, and which are known as the *sterno-tracheales* from their ordinary mode of attachment, are not fixed, as usual, at their lower extremities to the sides of the breast-bone, but to the middle of the first pair of ribs! The *sterno-tracheal* muscles are wanting in the 'Adjutant' and most other Storks, and in a very few other birds, such as the Condors (*Sarcorhamphus*) of the Vulture family; indeed the Vultures generally are among the most silent of the feathered creation, emitting no sound beyond a feeble cackling and snorting in their eagerness over their prey.

in distinction from that of the northern coast of Australia, at a time when the former had not been ascertained to frequent (as a Dugong of some kind is now known to do) the Malabar coast and Gulf of Calpentyn in Ceylon; but it still remains to be proved that this is the true Malayan Dugong, however little reason there may seem to doubt it,—as there might equally have seemed little cause to suspect the distinctness of the *Halicore australis*!

If the word *indicus* is to have a definite meaning, let it apply only to Hindustán and its immediate dependencies,—the proper country of the Hindu race and creed, within historic times at least (there is no occasion here to refer to the aboriginal or non-Hindu population), and which is understood to take its name from the Indus or Sind river. The very comprehensive meaning of the term “Indies” in times not quite gone by, and how the word “Indian” came to be applied to any savage race (not even excepting the Australian,) but more especially to the red men of America,—till the very thought of *India* was forgotten in connexion with it, as in

“Lo! the poor *Indian* whose untutored mind
Sees God in clouds and hears him in the wind;”—

these are topics familiar to every reader, and therefore most unnecessary to descant upon further.

Mr. Yarrell, in his ‘History of British Birds,’ is, as we think, very needlessly unsystematic in his vernacular nomenclature; and we urge this, without insisting on a system of absolute uniformity, which in some cases would appear pedantic. For example, take the genus Pochard, *Fuligula*. The ‘Red-crested Pochard’ (*F. rufina*) of various other authors, he styles the ‘Red-crested Whistling Duck:’ now the birds popularly known as ‘Whistling Ducks’ constitute a well-known tropical genus, *Dendrocygna*, altogether distinct and different from the Pochards. Next, the ‘Red headed’ or ‘Dun Pochard’ of other authors (*F. ferina*) he terms ‘the Pochard, or Dun-bird.’ The ‘Ferruginous Pochard’ or ‘White-eyed Pochard’ (*F. nyroca*), is the ‘Ferruginous Duck,’ or ‘White-eyed Duck.’ The ‘Scaup Pochard’ (*F. marila*) is the ‘Scaup Duck.’ The ‘American Scaup Pochard’ (*F. mariloides*) is the ‘American Scaup’ only: and the ‘Tufted Pochard’ (*F. cristata*) is the ‘Tufted Duck.’ We certainly prefer adopting the name ‘Pochard’ as generic, and equivalent with *Fuligula*; and would prefer designating another bird before referred to, as a ‘Bulbul,’ rather than as a ‘Thrush.’ All practicable uniformity, even in vernacular names, is surely desirable, and positive misnomers should be scrupulously avoided.

We have next to consider the source of errors arising from

the mal-identification of species, or the non-discrimination of some which are really distinct from those for which they have been mistaken, however similar in general appearance, so as scarcely to be distinguished without actual comparison of specimens. Thus the *Acrocephalus arundinaceus* (*Sylvia turdoides* of Temminck), and the *Acr. salicarius* (*S. arundinacea* of Temminck), and also the three common British species of *Phylloscopus*, have been noted by different authors as occurring in India; and however opinions may vary in certain other instances, as to the value of differences regarded as specific, we apprehend that no one who has had the opportunity of instituting comparison in these cases, will be disposed to unite the Indian birds with the British. However nearly the three Indian species of *Acrocephalus* may resemble their European compeers, on a superficial view, it will be found, on minute examination, that they have a somewhat different form of wing; and moreover that their habits are appreciably diverse: for whilst the European species evince a marked preference for watery situations, this can hardly be affirmed of the Indian. Even where such situations abound, as in Lower Bengal, they come more into gardens; and moreover the song of the three Indian species is soft and melodious, devoid of the harsh babbling notes of the European *Acrocephali*, in common with most other "aquatic warblers." The Indian type, indeed, presents in all respects a somewhat nearer approximation to the *Phylloscopus* group, which attains so remarkable a development (as regards the number of species comprised) in this part of the world.

Various instances occur of closely affined Indian and European birds, which every ornithologist would at once pronounce to be distinct: *e. g.* *Oriolus galbula* and *O. kundoo*, *Lanius excubitor* and *L. lahtora*, *Troglodytes europæus* and *Tr. sub-himalayanus*, *Certhia familiaris* and *C. himalayana*, &c.: and not unfrequently the exact European species inhabits this country, in addition to another which would otherwise be regarded as its counterpart or representative, or (according to the views of some naturalists) a mere local or climatal variety of the same species: thus *Circus Swainsonii* (*pallidus* of Sykes) is regarded by Prof. Schlegel as a local variety of *C. cineraceus*; had he said of *C. cyaneus* it would be more intelligible, as the affinity is much closer with *cyaneus*; nevertheless, both *Swainsonii* and *cineraceus* appear to be common throughout Africa, as both likewise are in India, inhabiting the same districts, and each remaining ever true to its distinctive characters; while *cyaneus* also inhabits the vicinity of the Himalāya, together with both the others. There are precisely the same grounds for regarding the European *Phylloscopus trochilus* and *Ph. rufus* as being 'climatal' or

'local' varieties of one species ; only these birds happen to be better known, much as they resemble each other. Again, we have the true *Falco peregrinus* common in India, together with *F. peregrinator*, which would otherwise be regarded as its Indian counterpart (a "beautiful representation," as the hackneyed phrase is;) *Hypotriorchis subbuteo* together with *H. severus*; *Hirundo sinensis* (the ordinary Indian Sand Martin,) together with *H. riparia*; *Cuculus canorus* (the European Cuckoo,) as also several affined species; and so on. In some cases, a European species may have two or more 'representatives' in India, or *vice versâ*. Thus *Nucifraga caryocatactes* of the pine-forests of Europe and Siberia is replaced by *N. hemispila* in those of the Himalâya generally, and by *H. multimaculata* about Kashmir;* *Parus major* by *P. monticolus* and *P. cinereus*, if not also *P. nuchalis* (in addition to *cinereus*) in S. India; *Picus major* by *P. himalayanus* and *P. darjellensis*; *Accentor alpinus* by *A. nipalensis* and *A. variegatus*: while, on the other hand, *Lanius lahtora* in India is represented both by *L. excubitor* and *L. meridionalis* in Europe; *Sitta cinnamoventris* by *S. europæa* and *S. cæsia*, &c. Some ornithologists regard the *Passer domesticus*, *P. italia* (vel *cisalpinus*), and *P. salicarius* (vel *hispaniolensis*), of Europe, as being local varieties merely of the same: yet they hold true to their distinctive differences of colouring, wheresoever found; and examples of the last-named race from Afghânistân and the extreme N. W. of India differ in no appreciable respect from Algerian specimens with which we have compared them: moreover, this race is of far more gregarious habits even than *P. domesticus*; a fact noticed of it alike in N. Africa and in Kohât.

In all the foregoing instances, the distinctions exist indisputably; however authorities may disagree respecting their import or systematic value; but Mr. Gould has indicated some other separations in which we are wholly unable to concur; although it would appear that his views are adopted by his highness Charles Lucien Bonaparte, the Prince of Canino and Musignano, in his most valuable ornithological contributions to late volumes of the *Comptes Rendus* of the French 'Académie des Sciences.' For the *Bauri* or Peregrine Falcon of India, Mr. Gould adopts Latham's name *F. calidus*, thereby implying a distinction from true *peregrinus*, which we are at a loss to comprehend. With an adequate series of Indian and European and North American specimens, illustrative of the individual variation observable alike in each region, we doubt exceedingly if any one difference could be detected; and this while recognising the

* The *Corvus columbianus* of Wilson's 'American Ornithology' is an accidental representative of this genus, as long ago determined by the Prince of Canino; and we have heard of yet another species in the Altai.

F. macropus, Swainson (*F. melanogenys*, Gould), of Australia as properly discriminated. The European and Tibetan Ravens offer a parallel instance. The Indian Greenshank, too, has been separated from *Totanus glottis* by the name *T. glottoides*; and the latter name is adopted by Mr. Gould for the Greenshank of Australia: upon comparison of fine specimens from Scotland and Norway with others obtained in the Calcutta provision-bazar, we can discern no difference whatever.* Then Mr. Gould recognises the common Quail of India as distinct from the European Quail; and the Indian Goosander from *Mergus merganser*. M. Homeyer has discriminated the Missel Thrush common in the W. Himalaya from *Turdus viscivorus* of Europe, and has designated it *T. Hodgsoni*; it certainly does appear to be constantly somewhat larger than the European bird, with more of the albescent hue on the outer tail-feathers; and these differences must be admitted to be appreciable, however trivial, and whatever may be the value to be rightly attached to them: that, however, is a subsequent consideration, in which zoologists are never likely to concur; but all will admit that every appreciable difference should be noted, whether or not it be desirable that a new specific name should be imposed in every such instance.

The excessive subdivision of species here referred to, upon the very slightest imaginable (or imaginary) distinctions supposed to be permanent, is commonly termed *hair-splitting*; and however censured by a class of naturalists, who have faith in the prevalence of climatal and local variation, as more especially deduced from the analogy of the ascertained variation of certain protean forms in the vegetable creation,† is upheld on the principle that it is altogether impossible to draw *the line of demarcation between species* and such supposed *varieties*, otherwise than in the most arbitrary manner, wherein no two naturalists will agree: for every conceivable gradation may be traced in the degrees of approximation, from species which all concur in regarding as being so well characterised apart, that their distinctness is generally acknowledged, to such as are quite undistinguishable, however analogy might indicate their possible difference. By way of example, take parallel series of certain of the land-birds of Europe and North America. No reason can indeed be assigned why two species or races (inhabiting perhaps different regions of the globe, and appertaining to a series in which every grade of approximation is thus exhi-

* The alleged *T. glottoides* is simply the bird in its winter plumage, in which it is less known in Britain than in its summer garb.

† As a general rule, the *animal*, endowed with the faculty of locomotion, is much less completely subjected to the influence of local circumstances than the *plant*. The latter, once fixed, must abide by the conditions of its more or less fortuitous position; which the former can change at will, to a variable extent.

bited,) should not absolutely resemble, and yet be really as distinct as others are in which the difference is manifest. Considerations such as this must have suggested the famous theory of Lamarck, and invite a discussion which would carry us far beyond our present limits. But it will be felt to be most unphilosophical to pronounce dogmatically, as is so often done, on the vexed question of specific variation; and moreover that analogy is not always a secure guide, further than as suggesting probabilities. The analogy of the small wading bird known as the Ruff (*Philomachus pugnax*) would lead to the conclusion that the colouring of birds is of no importance whatever, as indicative of specific diversity: yet, in this respect, the Ruff stands forth as a single and notable exception to all the rest of its class.

The following is the very latest definition which we have chanced to meet with of the terms *species* and *variety*. In a work just published 'On the Variation of Species, with Special Reference to the *Insecta*; followed by an Enquiry into the Nature of Genera;' by J. Vernon Wollaston, a gentleman who has distinguished himself by his *entomological* researches in Madeira, we read, of *species* and *varieties*, that "I consider the *former* to involve *that ideal relationship amongst all the members* which the descent from a common parent can alone convey; whilst the latter should be restricted, unless I am mistaken, to the various aberrations from their peculiar type, which are sufficiently constant and isolated in their general character, to appear, at first sight, to be distinct from it."

The possible blending or *fusion* of nearly affined races is here not taken into consideration. We have remarked upon the *gradations* exhibited by parallel series of organic (or shall we say *specific*?) types from different regions, ranging from the most obvious specific diversity (acknowledged as such by common consent) to absolute similarity, even to the minutest details of structure, proportions, size and colouring; so that the line of demarcation becomes arbitrary, as to what are to be considered *species* or *varieties*; and, being so, every naturalist is prone to have a standard of his own, and is apt to be not too scrupulous or respectful in the expression of his opinions, regarding those who happen to differ from him, even though they may have bestowed as much or perhaps more attention to the consideration of this difficult subject in all its diversified bearings. It is true, that many highly approximate races (considered, therefore, as *species*) do maintain their distinctness even in the same region and vicinity; as *Fulco peregrinus* and *F. peregrinator*, *Hypotriochis subbuteo* and *H. severus*, *Circus cyaneus* and *C. Swainsonii*, in this country; and *Phylloscopus trochilus* and *Ph. rufus* in Europe, or (still more approximate) the larger and smaller races of Eu-

ropean Bullfinches in the forests of Germany :* but others equally or more different do unquestionably interblend when they meet upon the confines of their geographical ranges ; and, according to current ideas, should therefore be at once classed as varieties of one and the same species,—which, however, is rather “jumping to a conclusion,” or, in another phrase, “begging the question.” The instances may be comparatively few ; but it is from no paucity of adducible cases in other classes, far indeed from it, that we here limit our attention to birds. The *Coracias bengalensis* of all India meets, in the Punjab, &c., the European *C. garrula* ; and we are unaware that it interbreeds with it : but in Asám, Sylhet, Tippera, and more rarely Lower Bengal, it co-exists with the *C. affinis*, specimens of which from the Burmese countries are ever true to their proper coloration, as those of *C. bengalensis* are from Upper and S. India ; but we have seen every conceivable gradation or transition from one type of colouring to the other, in examples from the territories where the two races meet : so also with the *Treron phænicopterus* of Upper India and the *Tr. chlorigaster* of S. India and Ceylon, which blend in Lower Bengal ; and *Gallophasis albocristatus* of the W. Himaláya and *G. melanotus* of Sikhim, which produce an intermediate race in Nepal ; and *G. Cuvieri* of Asám and Sylhet, and *G. lineatus* of Burma, which interbreed in Arakan, &c., so that every possible transition from one to the other can be traced, as demonstrated by a fine series of preserved specimens in the museum of the Asiatic Society in Calcutta. If inhabiting widely separated regions, the (assumed) distinctness of such races would be at once granted ; as with *Phasianus colchicus* and the Chinese *Ph. torquatus*, which readily intermix and blend, wherever the latter has been introduced in Europe ! How, therefore, with *Garrulus glandarius* and *G. japonicus* ?† *Turdus viscivorus* of Europe and the so called *T. Hodgsoni* of the west Himaláya ? *Palumbes torquatus* and *P. casiotis* of the same regions respectively ? *Podiceps cristatus* of the northern hemisphere (with all Africa) and *P. australis*

* *Pionne et Double Pionne* of the French bird-catchers.

† Dr. Schlegel even considers (or did consider) “the Himaláyan Jay” (meaning probably *G. bispeularis*) as a “variety” of *G. glandarius* ! Admit this, and there is indeed an end to all discriminative classification or distinction of species which happen to bear a certain resemblance in their colouring (not even a near resemblance, in this particular instance) ! Why the American Waxwing or ‘Cedar-bird’ (*Ampelis carolinensis*) differs much less from the Wandering Waxwing (*A. garrulus*) than those two Jays do one from the other ; and the ‘Cedar-bird’ was thought to be a degenerate “climatal variety” of the other by Buffon ; whereas the latter has since proved to be likewise an inhabitant of North America, neither degenerate, nor differing in any respect, from the species as observed elsewhere.

MARCH, 1857.

X

of New Holland; with numberless other cases, supposing the races to come into contact, as has happened with the Pheasants already named? Again, some of the American and European races which have been separated on even slighter grounds! Have not such already coalesced in some instances, so as to result in what is called a *variable species*? For it by no means follows that approximate races should necessarily inhabit different regions. We know how sundry wild Canines (*i. e.* Wolves and Jackals), considered as distinct species, merge by domestication into Dogs, which everywhere breed and intermingle; and how the humped cattle interbreed with the Yak in the trans-Himalayan territories, and with the European type of cattle wherever the opportunity offers; the mixed offspring being, according to all the reliable information we can gather, in every way as prolific as the parent sources! These instances may still be regarded as *exceptional*, in a general way; but they nevertheless do occur, and certainly to an extent that should render us most cautious in dogmatizing!

There are many who consider the Parrot Crossbill (*Loxia pityopsittacus*) to be merely a larger and more robust variety of the Common Crossbill (*L. curvirostra*). By the same rule, the Himalayan Crossbill (*L. himalayana*) should be regarded as a smaller and considerably less robust variety of the same species; in which case, the amount of variation would indeed be extraordinary, and we should expect to find every intermediate gradation. Supposing them to be only "climatal varieties" of one species, it would seem to follow that the more *poleward* this vagrant bird *normally* inhabits, the larger and more robust does it become: but it is curious that while the Parrot Crossbill is, for the most part, a more northern race than the Common Crossbill (which latter ranges over the circuit of northern regions), its counterpart in the New World (*L. mexicana*) is the more southern of the two races! We do not happen to have seen the *mexicana*; but, as regards the others, with also the White-winged Crossbill proper to the Old World (*L. bifasciata*) and that proper to the New (*L. leucoptera*), consider them to be just as worthy of discrimination, as so many permanent types subordinate to the genus *Loxia*, as are the species which have been generally accepted as such in other genera; and until it can be proved that one of them is produceable from another, or that transitions occur from one to another (otherwise than as the result of intermixture, should this ever happen), that we are justified in regarding them as distinct species, rather than as varieties of the same species, in conformity with the generally accepted idea of a species in other instances.

The Crossbills, in a general way and with unimportant exceptions, may be said to inhabit wherever there are pine-forests; however rare, comparatively, in those of the Himaláya: and they are birds of remarkably vagrant habits, which therefore should not be particularly subject to climatal or local influences, whatever these may be, to induce permanent variation, as manifested by a series of distinct races. The *permanency* of such races, as a *general rule*, and indisposition of them to blend one with another, even though inhabiting the same district, is an indisputable fact; notwithstanding even that a few cases may be adduced to the contrary (as already mentioned), which indeed are chiefly remarkable for their *highly exceptional* character—so far as present information extends. An overwhelming majority is on the other side, with approximate races which are *fairly recognisable*; and this can hardly (or with difficulty) be admitted of the Himaláyan Missel Thrush or the Australian Crested Grebe, each as compared with its European counterpart: we might even cite the *Palumbes torquatus* and *P. casiotis*! Such races would scarcely be recognised apart, if inhabiting the same region; or, if indicated by a Brehm, would be acknowledged by few indeed! They would probably soon blend more or less completely; whereas such races as those of the Crossbills, the *Bauri* and *Sháhin* Falcons of India, the British *Phylloscopus trochilus* and *Ph. rufus*, and the different European Sparrows, maintain themselves persistently distinct; and this while the common Sparrow of India would probably blend with the British Sparrow (though considered distinct by some), if an opportunity should occur of its doing so. By the same rule, affirmative or negative, that any of the races here noticed are recognised as distinct species or as varieties of the same species, we may continue to generalize, step by step, till far more dissimilar races are regarded in either light, such as would otherwise be unhesitatingly considered as distinct species: and we accordingly return to the proposition that it is absolutely impossible to indicate the stage of discrimination between *species* and *varieties*, in such manner as to command general concurrence.

In these remarks, we have intentionally abstained from all speculation on the origin of species and varieties, in connexion with lapse of time and geological phenomena: partly because the known facts which would have to be presented for consideration are equally complicated and inconclusive with those already treated of, and certainly afford no light, as yet, upon the question of the *gradual development of species*, as some naturalists incline to suppose. We have been content to discuss the subject in its existent aspect of view, without reference to the past; and with the special object of illustrating the main diffi-

culty encountered, which is the *impossibility* of rigorously determining *species*, in a vast number of instances.

We now proceed to give a detailed notice of the species of British birds described by Mr. Yarrell, bearing reference to the occurrence of many of them in this country; with some remarks also on various other European species, which, though not hitherto met with in the British islands, are sufficiently known in India to merit such passing attention. The systematic names in Roman capitals are those here adopted; while the names following them in Italics and within brackets are taken from Mr. Yarrell's work, as are also the English names adopted by that naturalist. The order of classification likewise is that of Mr. Yarrell, however little we may feel disposed to concur in some few of the allocations:—

1. GYPS FULVUS. (*Vultur fulvus*; 'Griffon Vulture.') Inhabits the high mountains of Europe and Asia, inclusive of the Himaláya and its vicinity: common in Dalmatia, Greece, and the islands of the Mediterranean; less so on the Alps, and exceedingly rare and accidental in the British islands and northern provinces of France.* Replaced in the Pyrenees, Sardinia, and Barbary, by the nearly affined *G. OCCIDENTALIS*; in E. Africa by *G. RUPPELLII*; and in S. Africa by *G. KOLBII*; also generally over India and the Malay countries by *G. INDICUS*, a much smaller bird. All are remarkable for possessing fourteen tail-feathers, whereas other birds of prey have twelve only; even their congener, *G. BENGALENSIS*, which is the commonest Indian Vulture about and near towns, and is also met with in E. Africa. As Mr. Yarrell does not appear to discriminate the *G. OCCIDENTALIS*, it is just possible that the bird which he notices appertains to that particular race, rather than to the genuine *G. FULVUS* of the Himaláya.†

The *G. FULVUS* is the 'great white Vulture' of the Himaláya; and the 'great black Vulture' of the Himaláya, *VULTUR MONACHUS*, may yet be found to stray so far west as Britain; since it has several times been shot in Schleswig and Holstein, also in Provence, Languedoc, Dauphiné, &c. It is not rare in the Pyrenees, Sardinia, Sicily, and mountainous regions of the S. E. of Europe.

The great African *V. AURICULARIS* has been observed in Greece, and has once been killed in France (in Provence): this resembles *V. PONTICERIANUS*, the so called 'King Vulture' common over the plains of India, but is much larger, equalling *V. MONACHUS* in size; while the latter has also an analogous diminutive in Africa, in the *V. OCCIPITALIS*.

* In Macedonia, this species was noticed by Captain Drummond to be "most numerous in the plains as well as the mountains."—*Ann. Mag. Nat. Hist.* XVIII, 10.

† *Vide* 'Journal of the Asiatic Society,' vol. xxiv, 258 and note, for the particular distinctions of these several kinds of Vulture.

2. *NEOPHRON PERCNOPTERUS*. ('Egyptian Vulture.') *Rachamah* of the Appendix to Bruce's travels; *Pharaoh's chicken*, &c. Inhabits Europe, Asia, and Africa, abounding in most warm regions; very common on the plains of Upper Hindustán, and the table-land of peninsular India; but not observed in Lower Bengal below the tide-way of the Gangetic rivers: common in the southern parts of Europe; but very rare and accidental in the British islands, and also in Scandinavia. This bird is evidently the 'Kite' of Major A. Cunningham's 'Ladák' (p. 205). He writes—"the eagle (*cha-nak*,* or the 'black bird') and the kite (*chákor*, or the white bird) are common enough, and so is the large raven." A second species of this genus, the *N. PILEATUS*, inhabits Africa only.†

* *Bya*, generally pronounced *Cha*, is simply a bird. *Bya-nag*, is the 'black bird'; and *Byai d'Khar*, means the 'white bird.' (Cunningham.)

† Mr. C. J. Andersson, in his interesting work entitled 'Lake Ngami,' notices the curious fact of this Vulturine bird resorting to vegetable food. In the desert sandy region extending southward from Walfisch (i. e. 'Whale-fish') Bay, along the eastern coast of South Africa, "a kind of prickly gourd (called, by the natives, *naras*), of the most delicious flavour" occurs in great abundance; the creeping plant that bears it covering almost every little sand-hillock; and moreover fixing, "with wonderful tenacity, by means of its extensive ramifications, the constantly shifting sands: it is, indeed," remarks Mr. Andersson, "to those parts what the sand-reed (*Ammophila arundinacea*) is to the sandy shores and downs of England. In this barren and poverty-stricken country, food is so scarce, that without the '*naras*' the land would be all but uninhabitable. It is not man alone, that derives benefit from this remarkable plant; for every quadruped from the Field Mouse to the Ox, and even the feline (!) and canine races, devour it with great avidity. Birds are, also, very partial to it, more especially Ostriches, who during the '*naras*' season are found in great abundance in these parts. *I have seen the White Egyptian Vulture feed upon it.*"

Captain Watkins, in a paper on the Ornithology of Andalusia ('Zoologist,' November, 1856), states that he possesses, alive, a common Kite (*Milvus regalis*) and also a Black Kite (*M. ater*). "These birds, in their present domestic state, have a great *péchant* for vegetables and fruits. I have watched them often in my kitchen-garden plucking the pods of peas, and eating the contents; a bed of radishes, also, (which I was at a loss to conceive what had demolished,) I one morning found occupied by my two pets, eagerly devouring them; they could not have been driven to it by hunger, as they were well supplied with birds and young Rabbits. Since the figs and peaches have been ripe, they have indulged most freely in their taste for fruit, nothing pleasing them better than a fig."

In the *Annals and Magazine of Natural History*, xii (1843), p. 269, the curious fact is recorded of the Jaguar (*FELIS ONCA*) striking down and devouring the nests of a honey-producing Wasp of S. America!

In a recent notice of the devastations of Locusts in South Africa, we observed the *NEOPHRON PERCNOPTERUS* designated as the 'Locust-bird'; making its appearance in vast numbers to prey on the destructive insects: but it is not what is ordinarily known as the 'Locust-bird' in that part of the world, which is a much smaller bird, appertaining to the Starling or Maina group.

According to Sir James Alexander, as quoted by Mr. Andersson, (and given on the authority of the natives about the Orange river), when the Ostriches have left their nest in the middle of the day in search of food, "a white Egyptian Vulture may be seen soaring in mid-air, with a stone between his talons. Having carefully surveyed the ground below him, he suddenly lets fall the stone and then follows it in rapid descent. Let the hunter run to the spot, and he will find a nest of probably a score of eggs, some of them broken by the Vulture." We have all heard of the story of an Eagle, or a Gull, or a Crow,

The Lämmergeyer (GYPAETOS) inhabits the high mountains of Europe, Asia, and Africa; from the Altai even to the Cape colony. Authorities differ with respect to the value to be attached to certain differences observed in specimens from different regions. The Prince of Canino identifies the Himaláyan with *G. BARBATUS* of the Alps, while he recognises as distinct *G. ALTAICUS* of Gebler from the Altai, and *G. NUDIPES* of Brehm (*meridionalis* of Keyser and Blasius) from S. Africa. M. Malherbe remarks that specimens from the Pyrenees and Sardinia are of inferior size to those from the Swiss Alps; and this smaller race is the *G. barbatus occidentalis* of Schlegel. Even the Himaláyan is said to differ from that of eastern Europe by having a pectoral dark band not observed in the other, and is the *G. HEMACHALANUS* of Capt. Hutton. The constancy of the alleged distinctions seems to need confirmation, preparatory to an estimation of their value. The Himaláyan bird is commonly mis-called 'Golden Eagle' by English residents.

8. *AQUILA CHRYSAETOS*. ('Golden Eagle.') Inhabits the mountainous regions of Europe, Asia, and N. America (being the only true *AQUILA* in the New World); rare in N. Africa; and in India confined to the Himaláya. M. Degland inclines to the opinion that a larger and smaller race exist, the former inhabiting a colder region; but this much needs confirmation. We can perceive no difference between British and Himaláyan examples.

The *AQ. MOGILNIK*, or 'Imperial Eagle' of Temminck (*Aq. heliaca*, Savigny), inhabits generally a warmer climate than *AQ. CHRYSAETOS*, and is extensively diffused over the mountainous regions of S. E. Europe, Asia, and N. Africa, including those of India (being the *chrysaetos* of Dr. Jerdon's Catalogue of the birds of S. India). In Europe it has been observed so far north as in Jutland; but never in the British islands.

4. *AQUILA NÆVIA*. ('Spotted Eagle.') Inhabits Europe, Asia, and Africa; being common in the hilly parts of India, and even in the Bengal Sundarbáns. Very rare in N. Europe; but has been shot

(for the anecdote is current of all of them,) dropping the 'shell-fish' upon a stone; and of the bird's mistaking the philosopher's bald pate for one: but here the case is reversed; for the stone is taken up and dropped on the eggs of the Ostrich. In his account of the British Carrion Crow, Mr. Mudie remarks—"There are modern instances of the story of the ancient philosopher who was killed by a Crow mistaking his head for a stone, and dropping an Oyster on it in order to break the shell. One of these was seen by the celebrated Watt. A Crow caught up a crab, rose with it to a considerable height, and dropped it—not on the head of a modern philosopher, or he might have come off more safely than the ancient one,—but on a stone, and descended to her feast." Again, Mr. Selby remarks, of the Hooded Crow, "I have repeatedly observed one of these birds to soar up to a considerable height in the air, with a cockle or mussel in its bill, and then drop it upon the rock, in order to obtain the contents." Anecdotes of Gulls performing the same feat are recorded in Cabanis' 'Journal fuer Ornithologie,' Vol. III (1844-5): so that there is no particular reason to disbelieve the assertion of the NEOPHRON dropping a stone on the eggs of the Ostrich.

near the town of Schleswig, and has even been known to breed in Ireland.

There are two affined species in India, *AQ. HASTATA*, nearly as large but less robust, and *AQ. FULVESCENS*, distinct from *AQ. NÆVIODES* of Africa* (the 'Wokháb' noticed in p. 149), which is smaller and more robust,—a miniature of *AQ. MOGILNIK*. Neither of them has been observed in Europe.

EUTOLMAETOS FASCIATUS. (*Falco Bonellii*, de la Marmora.) Inhabits the southern parts of Europe, with Asia and N. Africa; being replaced in S. Africa by *EU. BELLICOSUS*: in India and Ceylon confined to the hilly parts, where far from rare.

HIERAETUS PENNATUS. Inhabits E. Europe, Asia, Africa, India generally, and Ceylon: differing very little (if at all) from *H. MORPHNOIDES* of Australia: a rare species in Europe. Prof. Schlegel doubts the proper *habitat* of this bird: it is not uncommon in India, preying much on domestic Pigeons.

5. *HALIAETUS ALBICILLA*. ('White-tailed Eagle.') Inhabits Europe (chiefly to the northward), and Siberia: unknown in India (but replaced by *H. FULVIVENTER*): has been observed in Greenland, and North Africa; being, for the most part, migratory in North Europe, though not in Britain.

6. *PANDION HALIAETUS*. ('Osprey.') Of universal distribution; the Australian only differing but slightly. Common in India; and migratory in the far north.

7. *FALCO CANDICANS*. (*Falco gyrfalco*; 'Gyr Falcon.') An Arctic species, very rare in temperate regions: the *Shangar* of Indian falconry seems to denote it, as a bird of excessively rare occurrence in the Punjab. Some writers separate from it an Icelandic race, either as a distinct species or variety, respecting which there is much difference of opinion.†

The *F. SACER*, Schlegel (*F. lanarius* apud Temminck and Gould), a very rare species in East Europe, seems to belong properly to Middle Asia, and occurs rarely in the Himaláya.

The *F. LANARIUS*, Schlegel, an inhabitant of the South East of Europe, differs very slightly from the Indian *F. JUGGUR*, Gray.

8. *FALCO PEREGRINUS*. ('Peregrine Falcon.') Inhabits Europe, Asia, North Africa, if not also North and South America: the South African race smaller; and the Australian *F. MACROPUS* (*melanogenys* of Gould) very nearly affined. Common in India; also a nearly affined species, *F. PEREGRINATOR*, which resorts more to the hills, and is the *F. ruber indicus* of Aldrovand. Although the Indian and also the North American races are considered different from the European by some, we doubt the existence of any permanent distinction whatsoever.

9. *HYPOTRIORCHIS SUBBUTEO*. (*Falco subbuteo*; the 'Hobby.')

* Vide Journal of the Asiatic Society, vol. xxiv, 255.

† M. Degland even distinguishes *F. CANDICANS*, *F. ISLANDICUS*, and *F. GYRFALCO*: while Dr. Schlegel admits *F. GYRFALCO*, *F. CANDICANS*, and *F. CANDICANS ISLANDICUS*."

All Europe, Asia, and Africa; migratory: common in the Himaláya; rarer in S. India; a cold weather visitant in Lower Bengal, together with an affined species, *H. SEVERUS*. Both are somewhat crepuscular in habit.*

10. *ERYTHROPUS VESPERTINUS*. (*Falco rufipes*; the 'Red-footed Falcon.') Europe, Asia, and N. Africa: rare in Britain: not uncommon in India, in large flocks, which visit Lower Bengal during the rainy season.

E. CENCHEIS. (*Falco tinnunculoides* of Vieillot.) Resembles *E. VESPERTINUS* in structure and habits, and both appear to be exclusively insectivorous, seizing their prey on the ground and not habitually on the wing (like the 'Hobby'). Geographical range also similar, or nearly so; but this has not been known to stray into Britain. Both are migratory.

11. *LITHOFALCO ÆSALON*. (*Falco æsalon*; the 'Merlin.') Inhabits Europe, Asia Minor, Mesopotamia, Persia, N. Africa, S. Africa (A. Smith), N. America (rare): but has not hitherto been met with in India; though likely to occur in the N. W., as especially in the Punjab: migratory; though in Britain within the limits of the island.

12. *TINNUNCULUS ALAUDARIUS*. (*Falco tinnunculus*; the 'Kestrel.') All Europe, Asia, Africa, with the great Asiatic archipelago. Very common in India, sometimes in large flocks. The commonest bird of prey in England and France.

13. *ASTUR PALUMBARIUS*. ('Goshawk.') Europe, Asia, and N. Africa: rare in Britain; much commoner in Scandinavia, and generally over Europe, where migratory: common in the Himaláya.

14. *ACCIPITER NISUS*. ('Sparrow-hawk.') Europe, Asia, and N. Africa: common in the hilly parts of India; rare in the plains, where abundantly replaced by *MICRONISUS BADIUS*. Migrates partially in northern regions.†

15. *MILVUS REGALIS*. (*M. vulgaris*; 'Kite.') Europe, Siberia, Asia Minor, N. Africa; unknown in India, but abundantly replaced by *M. GOVINDA* (which differs little from *M. ATER* of E. Europe and W. Asia, and from *M. AFFINIS* of Australia). Migratory in Scandinavia.

16. *NAUCLERUS FURCATUS*. ('Swallow-tailed Kite.') An American bird, which has twice been met with in Great Britain, but in no other part of Europe.

17. *BUTEO VULGARIS*. ('Common Buzzard.') Europe, N. Africa, Asia Minor: higher mountains of India; being common in the W. Himaláya, rare in the Nilgiris, and replaced on the plains by *B.*

* This fact has been noticed by Captain Drummond of *H. SUBBUTEO*. Vide *Ann. Mag. Nat. Hist.* 1843, p. 423.

† There is a nearly affined race in the Malay countries, *ACC. NISOIDES*, distinguished by having a white throat with three distinct dark stripes, and no rufous on the under-parts of the adult male. In other respects, quite similar to *ACC. NISUS*; and by no means to be confounded with *ACC. VIRGATUS*, which likewise has the throat-stripes.

CANESCENS. Rare, and to the northward and far west only, in America: mostly migratory in Scandinavia.

18. ARCHIBUTEO LAGOPUS. (*Buteo lagopus*; 'Rough-legged Buzzard.') Northern regions generally: all Europe, migratory: N. and S. (†) Africa. Unknown in India.

19. PERNIS APIVORA. ('Honey Buzzard.') Europe, Asia, N. Africa: migratory. In India common (if identically the same), in addition to P. CRISTATA.*

20. CIRCUS ÆUGINOSUS. ('Marsh Harrier.') Europe, Asia, N. Africa: very common in India. Migrates in Scandinavia.

21. CIRCUS CYANEUS. ('Hen Harrier.') Europe, Asia, Africa: the American C. ULIGINOSUS barely, if at all, separable. In India, common in the sub-Himalayan region and its vicinity: being replaced southward by C. SWAINSONII (*pallidus* of Sykes).

22. CIRCUS CINERACEUS. (*C. Montagui*; 'Montagu's Harrier.') Europe, S. Asia, Africa: very common in India.†

The CIRCAETUS GALLICUS is a bird of South Europe, Asia, and Africa, which is common in India, and has been killed in Denmark; but never in the British islands.

23. BUBO MAXIMUS. ('Eagle Owl.') Europe, Siberia, China, Asia Minor, Babylonia, Barbary; Himalaya? If so, very rare.

24. SCOPS ALDROVANDI. ('Scops eared Owl.') Europe, Asia Minor, N. Africa: migratory. In India replaced by affined species; more especially SC. BAKKAMENA (the *Scops sunia et pennata* of Hodgson), which seems to be generally diffused over the country. No. 24 is admitted in the Catalogue of species from Nepal and Tibet presented to the British Museum by Mr. Hodgson; but referring doubtless to a grey specimen of the BAKKAMENA.‡

25. SCOPS ASIO. (*Strix asio*; 'American Mottled Owl': Mr. Yarrell's preface.) A North American bird, of which a pair were observed in England, and one of them shot.

26. ASIO OTUS. (*Otus vulgaris*; 'Long-eared Owl.') Europe, N. Africa, Asia Minor, N. Asia, N. America: in India, confined to the Himalaya, where not uncommon.

27. ASIO BRACHYOTUS. (*Otus brachyotus*; 'Short-eared Owl.') Europe, Asia, Africa, N. and S. America:§ migratory. Common in India.

28. STRIX FLAMMEA. ('White or Barn Owl.') Europe, Africa,

* In the crestless or sub-crested Indian specimens (adults), there is a marked tendency to the development of three dark stripes on a white throat, as in the ASTUR TRIVIRGATUS and sundry other Indian species. Can such be of a hybrid race between P. APIVORA and P. CRISTATA?

† Mr. Yarrell gives one instance of Nos. 21 and 22 interbreeding; the male being of the latter-species. Vide his description of the 'Hooded Crow.'

‡ Gradations from the grey to the chestnut-coloured varieties of SC. BAKKAMENA may be seen in the museum of the Asiatic Society, Calcutta.

§ The American has recently been distinguished by the name BRACHYOTUS CASSINI: but we are unaware upon what grounds. Sir W. Jardine remarks, of a collection from the Bermudas, "CIRCUS CYANEUS and OTUS BRACHYOTUS we cannot distinguish from European specimens." ('Contributions to Ornithology.')

Asia Minor, Babylonia : unknown in India, where abundantly replaced by *STB. JAVANICA*.

29. *SYRNIUM ALUCO*. (*S. stridulum* ; 'Tawny Owl.') Europe, N. Africa, Asia Minor, N. Asia to Japan (Temminck). *S. NIVICOLUM*, common in the W. Himalaya, rarer eastward, is barely separable.

30. *NYCTEA NIVALIS*. (*Surnia nyctea* ; 'Snowy Owl.') Arctic regions : rare in mid-Europe and in the United States of America.*

31. *SURNIA FUNEREA*. ('Hawk Owl.') Northern regions of both continents : rare in middle and S. Europe. Has been known to stray so far south as Bermuda.

32. *ATHENE PSILODACTYLA*. (*Noctua passerina* ; 'Little Owl.') Europe, N. Africa, W. Asia, Afghânistan, N. W. Himalaya. A much larger species than the true *ATH. PASSEBINA* (*Strix acadica* of Temminck) of N. Europe, which has not been observed in the British islands.

33. *NYCTALE TENGMALMI*. (*Noctua Tengmalmi* ; 'Tengmalm's Owl.') Northern regions of both continents ; rare in N. and S. Europe. Is affined to No. 31.†

34. *LANIUS EXCUBITOR*. ('Great Grey Shrike.') Europe, chiefly northward ; common in Lapland : W. Asia (Mesopotamia) ; N. Africa (if *L. MERIDIONALIS* has not been mistaken for it). The N. American *L. SEPTENTRIONALIS* and *L. EXCUBITORIDES* considered distinct. Replaced in India by *L. LAHTORA*.

35. *ENNECTIOENIS COLLURIO*. (*Lanius collurio* ; 'Red-backed Shrike.') Europe, Africa, W. Asia, S. Siberia : migratory.

36. *ENNECTIOENIS RUFUS*. (*Lanius rufus* ; 'Woodchat Shrike.') Europe, all Africa : migratory.

37. *BUTALIS GRISOLA*. (*Muscicapa grisola* ; 'Spotted Flycatcher.') Europe, W. Asia, N. Africa : ‡ migratory.

38. *MUSCICAPA ATRICAPILLA*. ('Pied Flycatcher.') Europe, N. Africa : migratory.

The *M. ALBICOLLIS*, another European species, is cited from Arabia by Prof. Schlegel ; and the *ERYTHROSTERNA PABVA*, or 'Robin Flycatcher' of E. Europe, is abundantly replaced in India by the nearly affined *E. LEUCURA*.

39. *CINCLUS AQUATICUS*. ('Common Dipper.') Inhabits Europe, W. Asia (vicinity of Trebizond and Erzeroum), and also the western part of Siberia ; but is replaced in the Himalaya by *C. ASIATICUS*.

40. *TURDUS VISCIVORUS*. ('Missel Thrush.') Europe, W. Asia : its representative in the W. Himalaya appears to be constantly a little larger and has more of the whitish hue upon the outermost

* It has been known to occur, however, so far south as the Bermudas, where two were shot in October, 1846 ! "They were observed sitting on a prostrate spar in a little sandy bay, and were mistaken for Gulls." (Wedderburn, in Jardine's 'Contributions to Ornithology.')

† "A specimen obtained in February, which had lighted on a schooner, 150 miles N. N. W. of the Bermudas." (Jardine's 'Contributions to Ornithology.')

‡ The Prince of Canino separates the Cape species as *B. AFRICANA*. *Comptes Rendus*, XXXVIII, 652.

tail-feathers; upon which slight differences, M. Homeyer distinguishes it by the name *T. HODGSONI*.

41. *OREOCINCLA WHITEI*. (*Turdus Whitei*; 'White's Thrush.') A Siberian species, according to the Prince of Canino, with 14 tail-feathers! Distinct from the very similar *O. DAUMA* of India (from the Hindustani word *Dama*, equivalent to 'Thrush'), with which it has been supposed identical.*

42. *TURDUS PILARIS*. ('Fieldfare.') Europe, W. Asia: migratory. One specimen has been killed at Saharunpur.† In the Himalaya generally, replaced by *T. ATROGULARIS*, a common bird of N. Asia, which occasionally strays into Europe and has been obtained so far west as in Denmark; in this country it occurs sparingly in Lower Bengal during the cold season. *T. FUSCATUS* of Pallas (*Naumanni* of Temminck), another species inhabiting Siberia and Japan, and straying rarely into Europe, has been once obtained in Nepal.

43. *TURDUS MUSICUS*. ('Song Thrush.') Europe, Siberia, W. Asia, Egypt, Barbary.

44. *TURDUS ILIACUS*. ('Redwing.') Europe, W. Asia, Barbary; has been observed in large flocks in Kohat. Migratory: breeding in the extreme north.

45. *TURDUS MERULA*. ('Blackbird.') Europe, W. Asia, N. Africa, Madeira; Afghânistan? Kashmir? China? We have seen females from Afghânistan and Chusan, which we could not distinguish from the common European Blackbird; and are assured of its being common in the mountains surrounding Kashmir, at from 10,000 to 13,000 feet elevation. The Prince of Canino has recently distinguished a nearly affined "*MERULA DACTYLOPTERA*" from Syria.‡

The *TURDUS* or *MERULA SIMILLIMA* of the mountainous parts of S. India and M. KINNISII of those of Ceylon, though nearly affined, are sufficiently well distinguished from the Blackbird of Europe. In the Himalaya generally, the latter is replaced by *M. BOULBOUL (paciLOPTERA)* of Vigors, which is not unfrequently brought in cages to Calcutta, where known as the 'Kastura.'

46. *TURDUS TORQUATUS*. ('Ring Ousel.') Europe, Asia Minor, N. Africa: migratory. Replaced in the Himalaya by *T. ALBOCINCTUS*.

47. *PYCNONOTUS AURIGASTER*. (*Turdus aurigaster*; 'Golden-vented Thrush.') A true Bulbul, the *Col d'or* of Levillant; common in Africa, and once only obtained in England: otherwise unknown in Europe.§

48. *ORIOULUS GALBULA*. ('Golden Oriole.') Europe, W. Asia (Mesopotamia), N. Africa: migratory. Rare in Britain. Replaced in India by *O. KUNDOO*.

* *Comptes Rendus*.

† Now in the India-house museum, London.

‡ *Comptes Rendus*, t. XLIII. 412.

§ Another African Bulbul, the *P. OBSOBRUS*, has been observed in Adanusia.

49. *OROCETES SAXATILIS*. (*Petrocincla saxatilis*; 'Rock Thrush.') Europe, W. Asia, N. Africa: migratory. Very rare in Britain. Replaced in India by *O. CINCLOBHYNCHA*.

The *PETROCOSYPHUS CYANEUS* of Europe seems undistinguishable in Afghânistân, Kashmir, and the Punjab; but is replaced further east by *P. AFFINIS*, and generally over Hindustân by *P. PANDU*, which is very closely affined.

50. *ACCENTOR ALPINUS*. ('Alpine Accentor.') Europe: especially replaced by *A. NIPALENSIS* and *A. VARIEGATUS* in the Himalâya, where several other species inhabit. Another Accentor in Siberia, which has been killed in Austria, *A. MONTINELLUS*, is replaced by *A. HUTTONI* in the W. Himalâya and by *A. STROPHIATUS* in Nepal and further eastward.

51. *ACCENTOR MODULARIS*. ('Hedge Accentor.') Europe, W. Asia.

52. *ERYTHACA RUBECULA*. ('Robin.') Europe, W. Asia, N. Africa.

53. *CYANECULA WOLFI*. (*Phœnicura suecica*; 'Blue-throated Warbler.') Europe, W. Asia, Japan (Temminck), N. Africa; rare in Britain: migratory: abundantly replaced in India by *C. SUECICA*, and in middle Asia, Afghânistân, &c., by *S. CÆRULECULA* (*cyane* of Eversmann); the first known by its pure white pectoral spot, which spot is always deep ferruginous in the Indian bird, and is wanting in that from middle Asia.*

54. *RUTICILLA PHÆNICURUS*. (*Phœnicura ruticilla*; 'Redstart.') Europe, W. Asia, Siberia (Schlegel), Japan, (Temminck,) N. Africa: migratory. Replaced in Sindh and Afghânistân by *R. PHÆNICUR-OIDES*, which is probably the *PHÆNICURUS* noted from Nepal. There are numerous Himalâyan species; and one, *R. RUFIVENTRIS*, is generally diffused over India.

55. *RUTICILLA TITHYS*. (*Phœnicura tithys*; 'Black Redstart.') Europe, N. Africa, W. Asia (or there perhaps confounded with the affined *R. ERYTHROPROCTA* of Gould).

56. *PRATINCOLA RUBICOLA*. (*Saxicola rubicola*; 'Stone-chat.') Europe, N. Africa, Japan (Temminck.) In India replaced by the nearly affined *PR. INDICA*, and in Sindh also by *PR. LEUCURA*, as in S. Africa by *PR. PASTOR*.

57. *PRATINCOLA RUBETRA*. (*Saxicola rubetra*; 'Whinchat.') Europe, N. Africa, Arabia (Schlegel): migratory. Erroneously assigned to India.

58. *SAXICOLA ÆNANTHE*. ('Wheatear.') Europe, W. Asia, plains of Upper India, N. Africa, Arctic regions, Greenland! Migratory.

* In the *Naumannia*, Vol. V. (1855,) as we learn from the 'Natural History Review,' for January, 1857, four kinds of *CYANECULA* are distinguished, by the names *suecica*, *orientalis*, *dichrosterna*, and *Wolff*. One of them is probably the *leucoeyana* of Naumann. The Prince of Canino, however, recognises as many as five, if not six species (or distinct races); regarding the Indian as one of them. Vide *Comptes Rendus*, t. XXXVIII., p. 9.

There are several other Indian Wheatears, all of which are different from those of Europe, excepting *S. LEUCOMELA*; but *S. STAPAZINA* is replaced in India by *S. ATROGULARIS*, and *S. LEUCURA* by *S. LEUCUROIDES* (*opistholeuca* of Strickland), which occurs likewise in N. E. Africa.*

59. *LOCUSTELLA RAYI*. (*Salicaria locustella*; 'Grasshopper Warbler.') Europe, Asia, N. Africa: migratory. Has once been obtained in Central India, and once in Lower Bengal; where an affined species, *L. RUBESCENS*, is not uncommon. Both specimens are in the Calcutta museum.

60. *ACROCEPHALUS ARUNDINACEUS*. (*Salicaria turdoides*; 'Thrush-like Warbler.') Europe, N. Africa, Arabia (Schlegel), Japan (Temminck); rare in Britain: migratory. Replaced in India by *ACR. BRUNNESCENS*.

61. *CALAMODYTA PHRAGMITIS*. (*Salicaria phragmitis*; 'Sedge Warbler.') Europe, Asia Minor, S. Siberia (Schlegel), N. Africa: migratory.

62. *PSEUDOLUSCINIA SAVII*. (*Salicaria luscinioides*; 'Savi's Warbler.') S. Europe, N. Africa; rare in Britain: migratory.

63. *ACROCEPHALUS SALICARIUS*. (*Salicaria arundinacea*; 'Reed Warbler.') Europe, N. Africa: migratory. This, with *ACR. PALUSTRIS* and *ACR. MEDIUS*, are replaced in India by *ACR. DUMETORUM* and *ACR. AGRICOLUS*.

64. *ERYTHROPYGIA GALACTOTES*. (*Salicaria galactotes*; 'Rufous Sedge Warbler.') Africa, S. Europe (chiefly Spain); very rare in Britain. Appertains to a strictly African genus, of which this species only visits Europe in summer.

65. *LUSCINIA PHILOMELA*. (*Philomela luscinia*; 'Nightingale.') Europe, N. Africa, Asia Minor: migratory. Replaced in Persia by a nearly affined species (*L. MAJOR*? seu *Sylvia philomela* of Temminck?), which is often brought to India as a cage-bird, where termed *Bulbul bosta*.

66. *SYLVIA ATRICAPILLA*. (*Curruca atricapilla*; 'Blackcap Warbler.') Europe, W. Asia, Arabia (Schlegel), Japan (Temminck), all Africa. One killed in Java (Temminck).

67. *SYLVIA HORTENSIS*. (*Curruca hortensis*; 'Garden Warbler.') Europe, N. Africa: migratory.

68. *SYLVIA CINEREA*. (*Curruca cinerea*; 'Common White-throat.') Europe, Asia Minor, Arabia (Schlegel), N. Africa: migratory.

69. *SYLVIA CURRUCA*. (*Curruca sylvicola*; 'Lesser White-throat.') Europe, Asia, Africa: migratory. Common in India; and a nearly affined but larger species in S. India, *S. AFFINIS* (*Curruca cinerea* apud Jerdon).

70. *SYLVIA ORPHEA*. (*Curruca orphea*; 'Orpheus Warbler.') Europe, N. Africa, Arabia (Schlegel); rare in Britain: migratory. The Indian race seems to differ only in having a somewhat longer bill: inhabiting both Upper Hindustán and S. India.

* *S. STAPAZINA* is noted by Dr. Schlegel from the Altai and Dauria; *S. LEUCURA* from Arabia; and *S. STAPAZINA* and *S. AURITA* from Arabia Petrea.

71. *PHYLLOSCOPUS SIBILATRIX*. (*Sylvia sibilatrix*; 'Wood Warbler.') Europe, Asia Minor, N. Africa: migratory.

72. *PHYLLOSCOPUS TROCHILUS*. (*Sylvia trochilus*; 'Willow Warbler.') Europe, Asia Minor, N. Africa; W. India (apud Gould, but needs confirmation): migratory. Has been known to stray to N. America.

73. *PHYLLOPNEUSTE HIPPOLAIS*. (*Sylvia hippolais*; 'Melodious Willow Warbler.') Europe, N. Africa; rare in Britain: migratory.

74. *PHYLLOSCOPUS RUFUS*. (*Sylvia rufa*; 'Chiff-chaff.') Europe, Asia Minor, N. Africa: migratory.

75. *MELIZOPHILUS PROVINCIALIS*. (*M. dartfordiensis*; 'Dartford Warbler.') S. Europe (S. France, S. England), Barbary.

76. *REGULUS CRISTATUS*. ('Golden-crested Regulus.') Europe, N. Asia, Japan, W. Asia, Barbary: partially migratory. Replaced in the W. Himalaya by *R. HIMALAYENSIS*.

77. *REGULUS IGNICAPILLUS*. ('Fire-crested Regulus.') Europe, N. Africa: rare in Britain.

78. *REGULOIDES PROREGULUS*. (*Regulus modestus*; 'Dalmatian Regulus.') Asia; very rare in Europe: one specimen obtained in Dalmatia and another in England. Common in India, with several affined species.

Here may be mentioned that the *CISTICOLA SCHÆNICOLA* of S. Europe, N. Africa, Mesopotamia, &c., is abundantly replaced in India by the barely distinguishable *C. CURSITANS*.

79. *PARUS MAJOR*. ('Great Tit.') Europe, N. Asia, Japan, N. Africa. Replaced in India, Ceylon, and Java, by *P. CINEREUS*, and in the Himalaya also by *P. MONTICOLUS*.

80. *PARUS CÆRULEUS*. ('Blue Tit.') Europe, N. Asia, Japan, China, Formosa.

81. *PARUS CRISTATUS*. ('Crested Tit.') Europe, Siberia; local in N. Britain.

82. *PARUS ATER*. ('Cole Tit.') Europe, Siberia, Japan, Formosa. Replaced in Nepal by *P. ŒMODIUS*.

83. *PARUS PALUSTRIS*. ('Marsh Tit.') Europe, Siberia.

84. *ORITES CAUDATUS*. (*Parus caudatus*; 'Long-tailed Tit.') Europe, N. Asia, Japan.

85. *CALAMOPHILUS BIARMICUS*. ('Bearded Tit.') Europe, abundant in Holland, and on the reedy borders of the Black and Caspian Seas. The Prince of Canino distinguishes a *C. SIBIRICUS* from Kamtschatka.*

86. *AMPELIS GARRULUS*. (*Bombycilla garrula*; 'Bohemian Waxwing.') Northern regions. (Many visited Algeria in 1841.)

87. *MOTACILLA YARRELLII*. ('Pied Wagtail.') Europe; chiefly Britain and Scandinavia in summer. Replaced in India by *M. LUZONIENSIS* (*leucopsis* of Gould and *alboides* of Hodgson.)

88. *MOTACILLA ALBA*. 'White Wagtail.' Europe, N. Africa; rare in Britain. Replaced in India by *M. DUKHUNENSIS*.

* *Comptes Rendus*, t. XLIII, 413.

89. CALOBATES SULPHUREA. (*Motacilla boarula*; 'Grey Wag-tail.') Europe, Asia, Africa, Malay countries, Australia? Migratory within the British islands: common in India.

90. BUDYTES FLAVA. (*Motacilla flava*; 'Grey-headed Wagtail.') Europe, N. Africa; rare in Britain: migratory. Replaced in India by *B. VIRIDIS*.

91. BUDYTES RAYI. (*Motacilla Rayi*; 'Ray's Wagtail.') W. Europe, N. Africa; common in Britain: migratory.

92. PIPASTES TRIVIALIS. (*Anthus arboreus*; 'Tree Pipit.') Europe, N. Asia, Japan, W. Asia, N. Africa; Himaláya (but much confounded with the common *P. agilis* of India): migratory.

93. ANTHUS PRATENSIS. ('Meadow Pipit.') Europe, N. Asia, Japan, Asia Minor, W. India (Gould), Nepal (Hodgson, Gray); one specimen received from Pegu.

94. ANTHUS OBSCURUS. (*A. petrosus*; 'Rock Pipit.') Europe, Siberia, Japan. Replaced in the Himaláyan region by *A. CERVINUS*, which is likewise found in Europe.

95. CORYDALLA RICHARDI. (*Anthus Ricardi*; 'Richard's Pipit.') Europe, Asia, N. Africa; common in India; very rare in Britain.

The *C. CAMPESTRIS*, a common European bird which even abounds in the southern parts of Sweden, but has not hitherto been observed in Britain, is also common in parts of India.

96. OTICORYS ALPESTRIS. (*Alauda alpestris*; 'Shore Lark.') N. America chiefly, though not very rare in N. Europe. In Kashmir replaced by *O. PENICILLATA*; and a species recently distinguished as *O. LONGIROSTRIS* has been obtained near Agra.*

97. ALAUDA ARVENSIS. ('Sky Lark.') Europe, N. Asia, N. Africa, Asia Minor. A specimen killed in Bermuda! We happen to know that the late M. Audubon turned loose a number of birds of this species in the United States, but have seen no notice of their having multiplied. Generally replaced over India by *A. MALABARICA*, and in the Himaláya by *A. DULCIVOX* (at once distinguished by the relative proportions of the wing-feathers.)

98. GALERIDA CRISTATA. (*Alauda cristata*; 'Crested Lark.') Europe, Asia, N. Africa; rare in Britain; common in India, where known as the *Chándul*.

99. ALAUDA ARBOREA. ('Wood Lark.') Europe, Asia Minor, N. Africa.

* There is also an *O. BILOBA* (Ruppell, *bicornis* of Ehrenberg) from Arabia; and the Prince of Canino separates the N. American bird as *O. CORNUTA*, and again the Mexican as *O. CHRYSOLÆMA*. (*Comptes Rendus*, tom. xxxviii, 64-5.) As regards the European, Major Lloyd remarks, that—"until the few last years this bird, whose proper home is the high north, was not included in the Scandinavian fauna; but recently it has been met with, as well in Eastern Finmark, as on the western coast of Scania, where, indeed, upwards of fifty were shot during the winter or spring of 1849. It has been found in a few instances in Denmark." These 'Horned Larks', appertain generally to cold regions; though *O. BILOBA* would seem to be an exception. Certain of them are the only representatives of the Lark family in the New World; where the *Alauda Spragui* of Audubon is now ascertained to be not a Lark, but a Pipit of the genus *CORYDALLA*, according to the Prince of Canino, while M. Schlater forms of it his new genus *NEOCORYS*.

100. *CALENDRELLA BRACHYDACTYLA*. (*Alauda brachydactyla*; 'Short-toed Lark.') S. Europe, Asia, N. Africa; rare in Britain; extremely common in India, where currently known to Europeans as the 'Ortolan.'

The *CERTHILAUDA DESERTORUM* of Spain and N. Africa inhabits Sindh; and the *AMMOMANES LUSITANIA* occurs in the deserts of N. W. India, being replaced further south by *A. PHENICURA*.

101. *CENTROPHANES RAPPONICUS*. (*Plectrophanes lapponicus*; 'Lapland Bunting.') Arctic regions chiefly. Very rare in Britain.

102. *PRECTROPHANES NIVALIS*. ('Snow Bunting.') Arctic regions; a winter visitant in Britain; in America observed so low as in the Bermudas, and some have been known to rear their young in the White Mountains of New Hampshire (Peabody.)

103. *EMBERIZA MILIARIA*. ('Common Bunting.') Europe, W. Asia, Arabia (Schlegel), Barbary.

104. *EMBERIZA SCHENICULUS*. ('Black-headed Bunting.') Europe, S. Siberia, Barbary.

105. *EMBERIZA CITRINELLA*. ('Yellow Bunting.') Europe, to beyond the polar circle: replaced in the W. Himalaya by *E. PITHYORNTIS*, an inhabitant also of Siberia, which occurs rarely in W. Europe.

106. *EMBERIZA CIRLUS*. ('Cirl Bunting.') S. Europe, Asia Minor, Barbary.

107. *EMBERIZA HORTULANA*. ('Ortolan Bunting.') Europe, Asia Minor: replaced in S. and W. India and in Afghanistan by *E. BUCHANANI*.

The *E. CIA* of S. Europe is common in the W. Himalaya;* and *E. PUSILLA*, which seems to be plentiful in Sikhim, has occasionally been observed in Europe, even so far west as Leyden. *E. FUCATA* of N. Asia, Japan, and common in the W. Himalaya, occurs sometimes in considerable numbers in Lower Bengal. *E. MELANOCEPHALA* of S. Europe is common in parts of India.

108. *FRINGILLA CŒLEBS*. ('Chaffinch.') Europe, Siberia. (The Barbary and Madeira species distinct.)

109. *FRINGILLA MONTIFRINGILLA*. ('Mountain Finch.') Europe, N. Asia, Japan, Asia Minor, Afghanistan, Kashmir, W. Himalaya; a winter visitant in Britain. The European *MONTIFRINGILLA NIVALIS* has been obtained at Kandahar.

110. *PASSER MONTANUS*. ('Tree Sparrow.') Europe, Asia (commoner to the eastward), Siberia, Tibet, Sikhim, Arakan, Malayan peninsula, Java, China, Japan.

111. *PASSER DOMESTICUS*. ('House Sparrow.') Europe, Asia, N. Africa; the Indian race (*P. indicus* of Jardine and Selby) differing slightly from the European in the paleness of the females and young, the much more albescent hue of the lower-parts, and bright rufous colouring on the back of the adult male.

The *PASSER SALICARIUS* (vel *hispaniolensis*) of Barbary and the southern parts of Europe, Asia Minor, Bokhara, and Afghanistan,

* *E. Stracheyi*, Moore, appears to be no other than *E. CIA* in fine summer plumage.

visits the Pesháwur valley and Kohát in large flocks, being everywhere more highly gregarious than *P. DOMESTICUS*. *P. PETRONIA* (v. *PETRONIA STULTA*), also of S. Europe and N. Africa to Madeira ; is common in Afghánistán.

112. *LIGURINUS CHLORIS*. (*Coccothraustes chloris*; 'Greenfinch.') Europe, Asia Minor, N. Africa.

113. *COCCOTHTRAUSTES VULGARIS*. ('Hawfinch.') Europe, Siberia, China, Japan (*qu. C. JAPONICUS*, Schlegel ?)

114. *CARDUELIS ELEGANS*. ('Goldfinch.') Europe, Asia Minor, (Trebizond), Barbary. Replaced in middle Asia (inclusive of the W. Himaláya) by *C. CANICEPS*.

115. *CHRYSOMITRIS SPINUS*. (*Carduelis spinus*; 'Siskin.') Europe, Siberia, Japan : a winter visitant chiefly in Britain, breeding in the far north.

116. *LINOTA CANNABINA*. ('Common Linnet.') Europe, Siberia, Japan, Asia Minor, Barbary.

117. *LINOTA CANESCENS*. ('Mealy Redpole.') Northern regions chiefly, Greenland, Japan : an irregular winter visitant in Britain.

118. *LINOTA LINARIA*. ('Lesser Redpole.') Circuit of northern regions ; a common winter visitant in S. Britain.*

119. *LINOTA MONTIUM*. ('Mountain Linnet.') Europe, N. Asia, Japan : N. or S. Britain, according to season : replaced in Afghánistán by *L. BREVIROSTRIS*.

The *CARPODACUS ERYTHRINUS*, which is rare in the N. E. of Europe, is a common winter visitant over the greater part of India.

120. *PYRREHULA VULGARIS*. ('Bullfinch.') Europe, W. Asia. (The Japanese and two Himaláyan species distinct.)

121. *STROBILOPHAGA ENUCLEATOR*. (*Corythus enucleator*; 'Pine Grosbeak.') Circuit of northern regions : rare in Britain ; common in Scandinavia. Some try to separate this bird in N. America.

122. *LOXIA CURVIROSTRA*. ('Common Crossbill.') Circuit of northern regions : all Europe ; Afghánistán : an irregular visitant in Britain : in America it has been obtained so far south as in the Bermudas. A much smaller species inhabits the Himaláya, the *L. HIMALAYANA*.

123. *LOXIA PITYOPSITTACUS*. ('Parrot Crossbill.') Europe, Siberia : rare in Britain ; much commoner in Scandinavia.

124. *LOXIA BIFASCIATA*. ('European White-winged Crossbill.') N. Europe and Asia. Himaláya (Gould) : rare in Britain.

125. *LOXIA LEUCOPTERA*. ('American White-winged Crossbill.') N. America : very rare in Europe.

126. *AGELAIUS PHENICEUS*. ('Red-winged Starling.') N. America : a rare straggler in Britain.

127. *STURNUS VULGARIS*. ('Common Starling.') Europe, Asia, Africa, Azores : common in the Himaláya and N. India, Kashmir, Afghánistán, &c., as in Britain. *N. B.*—An Afghán specimen, assigned to *St. UNICOLOR*, appertains to the present species, being an

* "*LINARIA MINOR*. Stragglers in November and March " in the Bermudas ! (Jardine's 'Contributions to Ornithology.')

old male with the pale specks obsolete: the true *ST. UNICOLOR* of Sardinia, Barbary, &c., is very distinct and much less bright in its glosses.

128. *PASTOR ROSEUS*. ('Rose-coloured Pastor.') Europe, Asia, and Africa: common in India; rare in Britain.

129. *FREGILUS GRACULUS*. ('Chough.') High mountains and sea-cliffs of Europe, Asia, and Africa: common in high Central Asia, the Himalayas, Afghanistan, &c.; as is also the *PYRRHOCORAX ALPINUS* of the Swiss Alps and Pyrenees.

130. *CORVUS CORAX*. ('Raven.') Circuit of northern regions; rare in N. Africa, Punjab, Kashmir, Afghanistan; the Tibetan species considered distinct, but probably on insufficient evidence.

131. *CORVUS CORONE*. ('Carrion Crow.') Europe, Afghanistan, (Pushut), Japan (*apud* Temminck).—Replaced in India by *C. CULM-NATUS*.

132. *CORVUS CORNIX*. ('Hooded Crow.*') Europe, Asia Minor, Afghanistan, Japan (Temminck), Barbary. Considered by some to be identical in species with No. 131.

133. *CORVUS FRUGILEGUS*. ('Rook.') Europe, N. and W. Asia, Afghanistan, Peshawur valley, Kashmir: replaced in China and Japan by *C. PASTINATOR*.

134. *CORVUS MONEDULA*. ('Jackdaw.') Europe, Siberia, Barbary, W. Asia, Peshawur valley, Kashmir.

135. *PICA CAUDATA*. ('Magpie.') Europe, W. Asia, Siberia, E. N. America, China? Japan? Replaced in Afghanistan and W. Tibet by *P. BACTRIANA*, in E. Tibet by *P. BOTTANENSIS*, in China and Japan (?) by *P. MEDIA*, and in Barbary by *P. MAURITANICA*.

136. *GARRULUS GLANDARIUS*. ('Jay.') Europe, N. Africa? (*G. MELANOCEPHALUS* is the species which inhabits Barbary.) Replaced in the Himalaya by *G. BISPECULARIS* and *G. GULARIS*.

137. *NUCIFRAGA CARYOCATACTES*. ('Nutcraacker.') Europe, Siberia, Kamtschatka: rare in Britain: replaced in Kashmir by *N. MULTIMACULATA*, and generally over the Himalaya by *N. HEMISPILA*.

138. *DRYOSCOPUS MARTIUS*. (*Picus martius*; 'Great Black Woodpecker.') Europe, Siberia, Asia Minor: very rare in Britain.

139. *GECCINUS VIRIDIS*. (*Picus viridis*; 'Green Woodpecker.') Europe, W. Asia, Barbary: replaced in the Himalaya by *G. OCCIDENTALIS* and other species.

140. *PICUS MAJOR*. ('Great Spotted Woodpecker.') Europe, Asia Minor: replaced by the affined *P. NUMIDIUS* in Barbary, in the W. Himalaya, &c., by *P. HIMALAYANUS*, and in the E. Himalaya by *P. DARJELLENSIS*.

141. *PICUS MINOR*. ('Lesser Spotted Woodpecker.') Europe, Siberia, Barbary.

142. *YUNX TORQUILLA*. ('Wryneck.') Europe, Asia, N. Africa, China, Japan, Kamtschatka; common in India, as in Britain: migratory.

* In Orkney this name is applied to the small Gull, *LARUS RIDIBUNDUS*!

143. *CERTHIA FAMILIARIS*. ('Common Creeper.') Circuit of northern regions, all Europe, Barbary : replaced in the W. Himaláya by *C. HIMALAYANA*, in Nepal by *C. NIPALENSIS*, and in Sikhim by *C. DISCOLOR*.

144. *TROGLODYTES VULGARIS*. ('Wren.') Europe, W. Asia, Barbary : replaced by *TR. SUBHEMACHALANA* in the Himaláya generally (and there is a second species, *TR. PUNCTATUS*, in Sikhim), and in Japan by *TR. FUMIGATUS*. With these exceptions, the type is proper to the New World, where the group is largely developed.

145. *UPUPE EPOPS*. ('Hoopoe.') Europe, Asia, Africa ; a common winter-visitant in Lower Bengal, but generally replaced by a nearly affined race in Upper Hindustán and S. India.

146. *SITTA CÆSIA*. (*S. europæa*.) Britain, France, Middle and S. Europe : replaced by *S. europæa*, L. (*uralensis* of Lichtenstein,) in Scandinavia, Siberia, &c., and in the Himaláya by *S. CINNAMOVENTRIS*.

The *SITTA SYRIACA*, or 'Rock Nuthatch' of S. E. Europe and Asia Minor, or a species of similar habits (most probably the same), inhabits Afghánistán : and the *TICHODROMUS MURARIUS*, or Wall Creeper of S. Europe, is very common in the Himaláya, Afghánistán, &c.

147. *CUCULUS CANORUS*. ('Common Cuckoo.') Europe, Asia, Africa, Malay countries : common in the Himaláya, visiting the plains during the cold season.

148. *OXYLOPHUS GLANDARIUS*. (*Cuculus glandarius*;) 'Great Spotted Cuckoo.' S. Europe, N. Africa ; rare in Britain : migratory. Replaced by two congeners in India.

149. *COCOYZUS AMERICANUS*. ('Yellow-billed American Cuckoo.') N. America : a rare straggler in Britain.

150. *CORACIAS GABRULA*. ('Roller.') Europe, Africa, W. Asia, Afghánistán, Kashmir, Sindh, Punjab ; migratory in Europe ; and rare in Britain.

151. *MEROPS APLASTER*. ('Bee-eater.') Europe, Africa, W. Asia, Afghánistán, Kashmir, Sindh, Punjab ? migratory in Europe, and rare in Britain.

152. *ALCEDO ISPIDA*. ('Kingfisher.') Europe, N. Africa, W. Asia : replaced in India by *A. BENGALENSIS*.

153. *CERYLE ALCYON*. (*Alcedo alcyon* ; 'Belted Kingfisher.') N. America : a rare straggler in Britain.

154. *HIRUNDO RUSTICA*. ('Swallow.') Europe, Asia, Africa ; migratory : common in the plains of India during the cold season.

155. *HIRUNDO URBICA*. ('Martin.') Europe, Africa, Asia, (Siberia;) somewhat rare (or local ?) in India : migratory.

156. *HIRUNDO RIPARIA*. ('Sand Martin.') Europe, Asia, Africa, N. America ; migratory : in India local, and mostly replaced by *H. SINENSIS*.

The *H. RUPESTRIS* of S. Europe is common in the high mountains of India ; and there is a diminutive of it also in the *H. DISCOLOR* of Sykes.

157. *PROGNE PURPUREA*. (*Hirundo purpurea* ; 'American Purple Martin.') N. America : a rare straggler in Britain.

158. *CYPSELUS APUS*. ('Common Swift.') Europe, N. Africa, W. Asia, Afghânistân: migratory.

159. *CYPSELUS MELBA*. (*C. alpinus*; 'Alpine Swift.') High mountains (chiefly) of Europe, Asia, and Africa: tolerably common in the Himalâya, Central India, Nilgiris, and Ceylon: rare in Britain.

The *ACANTHYLIS CAUDACUTA*, or large Spiny-tailed Swift of the Himalâya, has once been shot in England, according to Mr. Gould.

160. *CAPRIMULGUS EUROPEUS*. ('Night-jar.') Europe, N. Africa, W. Asia; Siberia and Kamschatka (Pennant:) migratory. Several species inhabit India.

161. *PALUMBUS TORQUATUS*. (*Columba palumbus*; 'Ring Dove.') Europe, N. Africa, W. Asia; migratory in Scandinavia. Replaced in the W. Himalâya by the barely separable *P. CASIOTIS*.

162. *COLUMBA BNAS*. ('Stock Dove.') Europe, N. Africa, W. Asia; migratory in Scandinavia. Replaced by an affined species in India.

163. *COLUMBA LIVIA*. ('Rock Dove.') Europe, N. Asia to Japan, N. Africa: abundantly replaced in India by the barely separable *C. INTERMEDIA*.

164. *TURTUR AUBITUS*. (*Columba turtur*; 'Turtle Dove.') Europe, N. Africa, Asia Minor: migratory. Replaced by *T. RUPICOLUS*, (Pallas, v. *gelastis* of Temminck?) in the W. Himalâya, and by *T. meena* generally over the country. *N. B.* The *T. GELASTIS* (Temminck), identical with the Japanese race, has been obtained in the North of Sweden; and a race affined to *T. AUBITUS* inhabits Upper Egypt, *T. ISABELLINUS*.

165. *ECTOPISTES MIGRATORIUS*. ('Passenger Pigeon.') A rare straggler from N. America.

166. *PHASIANUS COLCHICUS*. ('Common Pheasant.') Indigenous to Mingrelia, and all the hilly country about the Black and Caspian seas: an introduced species over Europe generally.

167. *TETRAO UROGALLUS*. ('Capercali.') Europe, N. Asia, Caucasus and Taurus.

168. *TETRAO TETRIX*. ('Black Grouse.') Europe, N. Asia, Caucasus and Taurus.

169. *LAGOPUS SCOTICUS* ('Red Grouse.') British islands exclusively (though recently introduced into Switzerland). Believed by many to be a local variety of the continental *L. ALBUS* (v. *subalpinus* v. *saliceti*.)

170. *LAGOPUS MUTUS*. (*L. vulgaris*; 'Ptarmigan.') Snowy mountains of Europe, W. Asia, and N. America. Unknown in the Himalâya, where no bird of the Grouse tribe has been observed.

171. *STARNA CINEREA*. (*Perdix cinerea*; 'Common Partridge.') Europe, S. Siberia, Asia Minor; Mesopotamia? Persia? Egypt? a near congener lately discovered in Tibet.

172. *PERDIX RUFA*. ('Red-legged Partridge.') Europe only, Madeira (introduced?). Introduced into Britain.

173. *PERDIX PETROSA*. ('Barbary Partridge.') N. Africa, S. Europe, Caucasus. Introduced into Britain.

174. *ORTYX VIRGINIANA*. ('Virginian Colin.') Introduced from N. America.

175. *COTURNIX VULGARIS*. ('Common Quail.') Europe, Asia, Africa: chiefly migratory. Abundant in India, though Mr. Gould considers the race of this country to be distinct.

176. *TURNIX ANDALUSICA*. (*Hemipodius tachydromus*; 'Andalusian Hemipode.') S. Europe, N. Africa, Asia Minor, Mesopotamia; a rare straggler in Britain; replaced in India by three other species, but more especially by *T. Dussumieri* and *T. Sykesi*.

177. *OTIS TARDA*. ('Great Bustard.') Europe, Asia Minor, Tartary, to beyond Lake Baikal (Pennant.) The race extirpated in Britain, though stray birds occasionally find their way there.

178. *TETRAX CAMPESTRIS*. (*Otis tetrax*; 'Little Bustard.') Europe, N. Africa, Asia Minor, Mesopotamia, extreme N. W. of India (Peshawur valley.)

179. *HOUBARA MACQUEENII*. (*Otis Macqueenii*; 'Macqueen's Bustard.') N. W. of India, Afghânistan, &c. Very rare in Europe.

180. *CURSORIUS EUROPEUS*. ('Cream-coloured Courser.') Africa, W. Asia: very rare in Britain.

181. *ŒDICNEMUS CREPITANS*. ('Great Plover.') Europe, Asia, Africa: common in India.

182. *GLAREOLA TORQUATA*. ('Collared Pratincole.') Europe, Africa, W. Asia: rare in Britain: replaced in India by the nearly allied *GL. ORIENTALIS*.

183. *PLUVIALIS APRICARIUS*. (*Charadrius pluvialis*; 'Golden Plover.') Europe, W. Asia, N. Africa. Replaced by a distinct species in India, and generally over Asia, Africa, and Oceanica, the *PL. LONGIPES*.

184. *EUDROMIAS MORINELLUS*. (*Charadrius morinellus*; 'Dottrel.') Europe, N. Africa, W. Asia: migratory.

185. *CHARADRIUS HIATICULA*. ('Ringed Plover.') Europe, N. Asia, Japan, Greenland.

186. *CHARADRIUS CANTIANUS*. ('Kentish Plover.') Europe, Asia: not uncommon in India.

187. *CHARADRIUS PHILIPPINUS*. (*Ch. minor*; 'Little Ringed Plover.') Europe, Asia, N. Africa: rare in Britain; exceedingly common in India. *CH. PYRRHOTHORAX*, a very common Indian species, is known in Europe as a straggler.

188. *CALIDREIS ARENARIA*. ('Sanderling.') Circuit of northern regions, N. and S. Africa, N. Guinea: rare in India (so far as observed hitherto; but probably not so along the sea-coast.)

189. *SQUATAROLA HELVETICA*. (*Sq. cinerea*; 'Grey Plover.') Circuit of northern regions, Japan, Jáva, N. Guinea, Australia: tolerably common in India.

190. *VANELLUS CRISTATUS*. ('Lapwing.') Europe, N. and middle Asia, N. Africa: common in N. India, Sindh, &c., but not seen in Lower Bengal.

191. *STREPSILAS INTERPRES*. ('Turnstone.') Inhabits all sea-coasts, from the equator to the poles: common along those of India.

192. *HÆMATOPUS OSTRALEGUS*. ('Oyster-catcher.') Circuit of northern regions, to the equator, if not further south: not rare along the shores of the Bay of Bengal, &c.

193. *GRUS CINEREA*. ('Common Crane.') Europe, Asia, N.

Africa: migratory: now rare in Britain: common in India during the cold season.

194. *ARDEA CINEREA*. ('Common Heron.') Europe, Asia, N. and S. Africa: common in India.

195. *ARDEA PURPUREA*. ('Common Heron.') Europe, Asia, Africa: common in India.

196. *HERODIAS ALBA*. (*Ardea alba*; 'Great White Heron.') Europe, Asia, N. Africa: very rare in Britain: very common in India, though the race is considered different by some.

197. *HERODIAS GARZETTA*. (*Ardea garzetta*; 'Little Egret.') Europe, Asia, N. Africa: exceedingly rare in Britain: very common in India.

198. *HERODIAS BUBULCUS*. (*Ardea russata*; 'Buff-backed Heron.') Europe, Asia, N. Africa: exceedingly rare in Britain: very common in India.

199. *ARDEOLA COMATA*. (*Ardea comata*; 'Squacco Heron.') Europe, W. Asia, Africa, replaced in India by *A. LEUCOPTERA*.

200. *ARDETTA MINUTA*. (*Botaurus minutus*; 'Little Bittern.') Europe, all Africa, W. Asia, Himaláya, Kashmir; replaced in Lower Bengal by *A. SINENSIS*, and more abundantly by *A. CINNAMOMEA*, which is common throughout India.

201. *BOTAURUS STELLARIS*. ('Common Bittern.') Europe, Asia, all Africa: common in India.

202. *BOTAURUS LENTIGINOSUS*. ('American Bittern.') A rare straggler from America.

203. *NYCTICORAX GARDENI*. ('Night Heron.') Europe, Asia; Africa, N. America (? Species at least barely separable): very common in India.

204. *CICONIA ALBA*. ('White Stork.') Europe, Asia, N. Africa, migratory: common in India during the cold season in immense flocks in Lower Bengal.

205. *CICONIA NIGRA*. ('Black Stork.') Europe, Asia, N. Africa: not uncommon in India.

206. *PLATALEA LEUCORODIA*. ('White Spoonbill.') Europe, Asia, all Africa: common in India.

207. *FALCINELLUS IGNEUS*. ('*Ibis falcinellus*'; 'Glossy Ibis.') Europe, Asia, Africa, N. and S. America, Australia: very common in India.

208. *NUMENIUS ARQUATA*. ('Common Curlew.') Europe, N. Africa, Asia (to Japan), Malasia: very common in India.

209. *NUMENIUS PHŒOPUS*. ('Whimbrel.') Europe, Asia, N. Africa: common in India, along sea-coast and estuaries.

210. *NUMENIUS BOREALIS*. ('Esquimaux Curlew.') A rare straggler from N. America.

211. *TOTANUS FUSCUS*. ('Spotted Red-shank.*') Europe, Asia; common in India.

212. *TOTANUS CALIDRIS*. ('Common Red-shank.') Europe, Asia: very common in India.

* Why *spotted*? 'Dusky Redshank' is much better; while 'Spotted' applies rather to No. 212, each in its summer plumage.

213. *TOTANUS BARTRAMI*. ('Bartram's Sandpiper.') A straggler from America: one specimen obtained in N. S. Wales!

214. *TOTANUS FLAVIPES*. ('Yellow-shanked Sandpiper.') A straggler from America.

215. *ACTITIS OCHROPUS*. (*Totanus ochropus*; 'Green Sandpiper.') Europe, Asia, N. Africa: very common in India.

216. *ACTITIS GLAREOLA*. (*Totanus glareola*; 'Wood Sandpiper.') Europe, Asia, Africa, from Lapland to the Cape of G. Hope; Java, &c.: exceedingly common in India.

217. *ACTITIS HYPOLEUCOS*. (*Totanus hypoleucos*; 'Common Sandpiper.') Europe, Asia: exceedingly common in India.

218. *ACTITIS MACULARIUS*. (*Totanus macularius*; 'Spotted Sandpiper.') A rare straggler from America: one killed in Algeria!

219. *TOTANUS GLOTTIS*. ('Green-shank.') Europe, Asia, Africa, Australia; stragglers obtained in N. America: very common in India.

220. *RECURVIROSTRA AVOCETTA*. ('Avocet.') Europe, Asia, all Africa: not rare in India.

221. *HIMANTOPUS CANDIDUS*. (*H. melanopterus*; 'Black-winged Stilt.') Europe, Asia, all Africa: common in India.

222. *LIMOSA EXOCEPHALA*. (*L. melanura*; 'Black-tailed Godwit.') Europe, Asia, N. Africa, Australia: very common in India.

223. *LIMOSA RUFA*. ('Bar-tailed Godwit.') Europe, N. Africa, W. Asia: Nepal (Hodgson, Gray), Java and Timor (Temminck).

224. *PHILOMACHUS PUGNAX*. (*Machetes pugnax*; 'Ruff.') Europe, Asia, N. Africa: common in India.

225. *SCOLOPAX RUSTICOLA*. ('Woodcock.') Europe, Asia, N. Africa: very common in the Himalaya, not rare in the Nilgiris, more so in the highlands of Ceylon; a specimen occasionally shot in Lower Bengal.

226. *GALLINAGO SABINI*. (*Scolopax Sabini*; 'Sabine's Snipe.') A very rare European bird, and hitherto only met with in Europe; indeed chiefly in the British islands.

227. *GALLINAGO MAJOR*. (*Scolopax major*; 'Great Snipe.') Europe, W. Asia, Barbary: replaced in the Himalaya, &c., by *G. NEMORICOLA* and *G. SOLITARIA*.

228. *GALLINAGO SCOLOPACINUS*. (*Scolopax gallinago*; 'Common Snipe.') Europe, Asia, N. Africa: very common in India.

229. *GALLINAGO GALLINULA*. (*Scolopax gallinula*; 'Jack Snipe.') Europe, Asia, Barbary: common in India.

230. *MACRORHAMPHUS GRISEUS*. ('Brown Snipe.') N. America chiefly; rare in Europe; replaced in India by *M. SEMIPALMATUS*.

231. *TRINGA SUBARQUATA*. ('Curlew Sandpiper.') Circuit of northern regions, to beyond the equator; Australia! Very common in India.

232. *TRINGA CANUTUS*. ('Knot.') Circuit of northern regions: rare in India.

233. *TRINGA RUFESCENS*. ('Buff-breasted Sandpiper.') A straggler from America.

234. *TRINGA PLATYRHYNCHA*. ('Broad-billed Sandpiper.') Europe, Asia; Sumatra, Borneo, Timor (Temminck): not uncommon in India: rare in the U. S. of America.

235. *TRINGA MINUTA*. ('Little Stint.') Europe, Asia: very common in India.

236. *TRINGA TEMMINCKII*. ('Temminck's Stint.') Europe, Asia, N. Africa: common in India.

237. *TRINGA PUSILLA*. (*Vide* Preface.) A straggler from America.

238. *TRINGA SCHINZII*. ('Schinz's Sandpiper.') A straggler from America.

239. *TRINGA PECTORALIS*. ('Pectoral Sandpiper.') A straggler from America.

240. *TRINGA ALPINA*. (*Tringa variabilis*; 'Dunlin.') Arctic regions; circuit of northern regions; Japan; Timor (Temminck); Guiana: not rare in India.

241. *TRINGA MARITIMA*. ('Purple Sandpiper.') Arctic regions; Europe; N. America.

242. *PHALAROPUS FULICARIUS*. ('Grey Phalarope.') Circuit of northern regions: one specimen obtained near Calcutta.

243. *LOBIPES HYPERBOREUS*. (*Phalaropus hyperboreus*; 'Red-necked Phalarope.') Circuit of northern regions: one specimen obtained near Madras, another in Nicaragua, and a pair in the Bermudas.

244. *CREX PRATENSIS*. ('Landrail.') Europe, Asia, N. Africa: common in Afghanistan, rare in the N. W. of India: a specimen obtained in the Bermudas.

245. *POEZANA MARUETTA*. (*Orex porzana*; 'Spotted Crake.') Europe, Asia, N. Africa: common in India.

246. *POEZANA PUSILLA*. (*Orex pusilla*; 'Little Crake.') Europe, N. Africa, W. Asia, Japan: Nepal (Hodgson).

247. *POEZANA BAILLONII*. (*Orex Baillonii*; 'Baillon's Crake.') Europe, Asia to Japan, all Africa: exceedingly common in India.

248. *RALLUS AQUATICUS*. ('Water Rail.') Europe, N. Africa, W. Asia: replaced in India by a nearly affined race, *R. INDICUS*.

249. *GALLINULA CHLOROPUS*. ('Moorhen.') Europe, Asia, all Africa: common in India.

250. *FULICA ATRA*. ('Common Coot.') Europe, Asia, N. Africa (where found additional to *F. CRISTATA*): America and Javanese species distinct: common in India.

251. *ANSER CINEREUS*. (*Anser ferus*; 'Grey-lag Goose.') Europe, and Asia: common in India.

252. *ANSER SEGETUM*. ('Bean Goose.') Europe, Asia, N. Africa, Greenland.

253. *ANSER BRACHYRHYNCHUS*. ('Pink-footed Goose.') Europe, N. Asia: Punjab (rare?)

254. *ANSER ALBIFRONS*. ('White-footed Goose.') Circuit of northern regions.

255. *BERNICLE LEUCOPSIS*. (*Anser leucopsis*; 'Bernicle Goose.') N. Europe and Asia, Greenland, Hudson's Bay.

256. *BERNICLE BRENTA*. (*Anser torquatus*; 'Brent Goose.') Circuit of northern regions.

257. *BERNICLE RUFICOLLIS*. (*Anser ruficollis*; 'Red-breasted Goose.') N. Asia, chiefly: rare in N. India.

258. *CHENALOPEX ÆGYPTIACUS*. (*Anser ægyptiacus*; 'Egyptian Goose.') Africa, S. Europe.

259. *PLECTROPTERUS GAMBENSIS*. (*Anser gambensis*; 'Spur-wing Goose.') Straggler from Africa.

260. *BERNICLE CANADENSIS*. (*Anser canadensis*; 'Canada Goose.') N. America chiefly, Greenland: in Britain accidental (if not escaped from confinement, or the descendants of such).

261. *CYGNUS MUSICUS*. (*Cygnus ferus*; 'Hooper Swan.') N. Europe and Asia; N. Africa; migratory: one specimen obtained in the valley of Nepal.*

262. *CYGNUS BEWICKII*. ('Bewick's Swan.') Europe, Siberia.

263. *CYGNUS OLOB*. ('Mute Swan.') Europe, N. Asia, W. Asia, N. Africa: the wild still common in Scandinavia, but not in Britain.

264. *CYGNUS IMMUTABILIS*. ('Polish Swan.') Europe, N. Asia?

265. *CASARCA RUTILA*. (*Tadorna rutila*; 'Ruddy Sheldrake.') Europe and Asia, N. Africa (replaced in S. Africa by *C. CANA*): very common in India.

266. *TADORNA VULPANSER*. ('Common Sheldrake.') Europe, Asia, N. Africa: common in the Punjab; not rare in Lower Bengal.

267. *SPATULA OLYPEATA*. (*Anas clypeata*; 'Shoveller.') Circuit of northern regions, N. Africa: tolerably common in India.

268. *ANAS STEPERA*. ('Gadwall.') Circuit of northern regions; Barbary: tolerably common in India.

269. *ANAS ACUTA*. ('Pintail Duck.') Circuit of northern regions, Barbary: very common in India.

270. *ANAS BOSCHAS*. ('Wild Duck.') Circuit of northern regions, Barbary: in India confined to Sindh, Punjab, and the Himalaya and its vicinity; replaced southward by *A. PÆCILORHYNCHA*.

271. *ANAS QUERQUEDULA*. ('Garganey.') Europe, Asia, N. Africa: very common in India.

* Mr. Yarrell's figure of this bird does not convey a correct impression of it, as seen alive. Its carriage of the neck is totally unlike that of the Mute Swan. This and other Trumpeter Swans have the neck abruptly much thickened towards its lower portion, and the thickened part lies flat upon the back commonly, while the slender portion of the neck rises from the middle of the back and is carried erect. The Hooper never raises his wings and arches the neck like the Mute Swan: and when paddling along at full speed, nearly the whole neck is thrown flat backward, two or three inches of it only being carried erect; imparting a most characteristic appearance to the bird. This peculiar carriage, and the frequent plaintive but not unmusical cry, *Kuk-koo-koo*, render the living bird more conspicuously different from the Mute Swan, even than appears from comparison of dead specimens. Each has a grace of carriage of its own; and the poet Wordsworth, from familiar observation of the Hooper in the lake district, remarks that it as much excels a Thames Swan in elegance, as the latter excels a domestic Goose,—which however is more than we are disposed to accede to.

272. *ANAS CRECCA*. ('Teal.') Europe, Asia, Barbary; common in India.

273. *ANAS FENELOPE*. ('Wigeon.') Europe, Asia, N. Africa: common in India.

274. *ANAS AMERICANA*. ('American Wigeon.') Straggler from N. America.

275. *SOMATERIA MOLLISSIMA*. ('Eider Duck.') Arctic regions chiefly.

276. *SOMATERIA DISPAR*. ('Steller's Western Duck.') Arctic regions, chiefly N. of Asia.

277. *SOMATERIA SPECTABILIS*. ('King Duck.') Arctic regions chiefly.

278. *OIDEMIA FUSCA*. ('Velvet Scoter.') Circuit of northern regions; Barbary.

279. *OIDEMIA NIGRA*. ('Common Scoter.') Europe, N. Asia, Barbary.

280. *OIDEMIA PERSPICILLATA*. ('Surf Scoter.') N. America chiefly, rare in Europe.

281. *FULIGULA RUFINA*. ('Red-crested Whistling Duck.') Europe, Asia, N. Africa: common in N. India; not rare in Lower Bengal, during the coldest part of the year.

282. *FULIGULA FERINA*. ('Pochard.') Circuit of northern regions, Barbary: common in India.

283. *FULIGULA NYROCA*. ('Ferruginous Duck.') Europe, Asia, N. Africa: common in India.

284. *FULIGULA MARILA*. ('Scaup Duck.') Circuit of northern regions: Punjab, Sindh, Nepal.

285. *FULIGULA MARILOIDES*. ('American Scaup.') Straggler from America.

286. *FULIGULA CRISTATA*. ('Tufted Duck.') Europe, Asia, Barbary: common in India.

287. *HARELDA GLACIALIS*. (*Fuligula glacialis*; 'Long-tailed Duck.') Circuit of northern regions, chiefly far north.

288. *CLANGULA* (?) *HISTRIONICA*. (*Fuligula histrionica*; 'Harlequin Duck.') Circuit of northern regions, chiefly far north.

289. *CLANGULA GLAUCION*. (*Fuligula clangula*; 'Golden Eye.') Circuit of northern regions, N. Africa: Sindh, Punjab.

290. *CLANGULA ALBEOLA*. (*Fuligula albeola*; 'Buffel-headed Duck.') N. America chiefly, much rarer in Europe.

291. *MERGELLUS ALBELLUS*. (*Mergus albellus*; 'Smew') Circuit of northern regions; W. Asia, Sindh, Punjab, Oudh; apparently not rare along the Punjab rivers.

292. *MERGUS CUCULLATUS*. ('Hooded Merganser.') N. America chiefly, rare in Europe, or mostly confined to the far north.

293. *MERGUS SERRATOR*. ('Red-breasted Merganser.') Circuit of northern regions, Barbary.

294. *MERGUS MERGANSER*. ('Goosander.') Circuit of northern regions: not rare in the Himalāya; rare in Central India (*M. orientalis* of Gould.)

295. *PODICEPS CRISTATUS*. ('Great-crested Grebe.') Europe, Asia, all Africa, America; the Australian barely separable: Himaláya, Bengal Sunderbáns. Perhaps commoner than generally supposed in India, from its secluded habits and the great difficulty of procuring specimens.

296. *PODICEPS RUBRICOLLIS*. ('Red-necked Grebe.') Circuit of northern regions, W. Asia.

297. *PODICEPS CORNUTUS*. ('Sclavonian Grebe.') Circuit of northern regions, W. Asia.

298. *PODICEPS AURITUS*. ('Eared Grebe.') Circuit of northern regions, W. Asia, Barbary, Falkland Islands?

299. *PODICEPS PHILIPPENSIS*. (*P. minor*; 'Little Grebe.') Europe, Asia and its islands, N. Africa: very common in India.

300. *COLYMBUS GLACIALIS*. ('Great Northern Diver.') Circuit of northern regions.

301. *COLYMBUS ARCTICUS*. ('Black-throated Diver.') Circuit of northern regions.

302. *COLYMBUS SEPTENTRIONALIS*. ('Red-throated Diver.') Circuit of northern regions.

303. *URIA TROILLE*. ('Common Guillemot.') Circuit of northern regions.

304. *URIA BRUNNICHII*. ('Brunnich's Guillemot.') Circuit of northern regions, chiefly far north.

305. *URIA RINGUA*. (*V. lachrymans*; 'Ringed Guillemot.') Circuit of northern regions? Spitzbergen, &c.

306. *GREYLLA GRÆNLANDICA*. (*Uria grylle*; 'Black Guillemot.') Circuit of northern regions.

307. *ARCTICA ALBA*. (*Mergulus melanoleucos*; 'Little Awk.') Circuit of northern regions, chiefly far north.

308. *FRATERCULA ARCTICA*. ('Puffin.') Circuit of northern regions.

309. *UTAMANIA TORDA*. (*Alca torda*; 'Razorbill.') Circuit of northern regions.

310. *ALCA IMPENNIS*. ('Great Awk.') Circuit of northern regions, chiefly far north.

311. *PHALACROCORAX CARBO*. ('Common Cormorant.') Circuit of northern regions, Barbary: common in the Himaláya; rare in Central India.

312. *PHALACROCORAX GRACULUS*. ('Shag.') Europe, Greenland, all Africa!

313. *SULA ALBA*. ('Gannet.') Circuit of northern regions. S. Africa.

The circumstance of a Pelican having been found dead upon the coast of Durham has already been noticed.

314. *SYLOCHELIDON CASPIA*. (*Sterna caspia*: Caspian Tern.) Warmer regions of the old World generally, Australia (*S. strenuus*, Gould): not rare in parts of India; but doubtful as occurring in Lower Bengal.

315. *THALASSEUS BOYSII*. (*Sterna Boysii*; Sandwich Tern.) Europe, Africa, and America.

816. *STERNA PARADISEA*. (*St. Dougalli*; 'Roseate Tern.') Europe, Asia, Africa, America, Australia: coasts of India.

817. *STERNA HIRUNDO*. ('Common Tern.') Europe, Asia, Africa: S. India, Ceylon.

818. *STERNA ARCTICA*. ('Arctic Tern.') N. Europe, America.

819. *HYDROCHELIDON INDICA*. ('*Sterna leucoparia*'; 'Whiskered Tern.') Europe, Asia, Africa, Malay countries; very common in India.

820. *GELOCHELIDON ANGLICA*. (*Sterna anglica*; 'Gull-billed Tern.') Warmer regions of the Old World, extending also to America; Java: common in India.

821. *STERNULA MINUTA*. (*Sterna minuta*; 'Lesser Tern.') Northern hemisphere; replaced in S. America and Australia by nearly affined species: common on the west-coast, and in parts of S. India.

822. *HYDROCHELIDON FISSIPES*. (*Sterna fissipes*; 'Black Tern.') Europe, W. Asia, Africa; rare in N. and C. Europe,

823. *HYDROCHELIDON LEUCOPTERA*. (*Sterna leucoptera*; 'White-winged Tern.') Europe, N. Africa, Madeira, W. Asia.

824. *ANOUS STOLIDA*. (*Sterna stolidus*; 'Noddy Tern.') Of general distribution, over the warmer parts of the ocean: common in the Indian seas.

825. *ONYCHOPRION FULIGINOSUS*. (*Sterna fuliginosa*; 'Sooty Tern.') Very generally distributed, like the last; Bay of Bengal.

826. *XEMA SABINI*. (*Larus Sabini*; 'Sabine's Gull.') Northern regions of America chiefly.

827. *XEMA BONAPARTII*. (*Larus Bonapartii*; 'Bonapartian Gull.') Straggler from America.

828. *RHODOSTETHIA ROSSII*. (*Larus Rossii*; 'Cuneate-tailed Gull.') High northern latitudes, chiefly.

829. *XEMA MINUTA*. (*Larus minutus*; 'Little Gull.') Europe, Siberia, Caspian.

830. *XEMA CAPISTRATA*. (*Larus capistratus*; 'Masked Gull.') Europe, N. America.

831. *XEMA RIDIBUNDA*. (*Larus ridibundus*; 'Black-headed Gull.') Europe, Asia, N. Africa: not rare in India, but less common than the nearly affined *X. BRUNNEOCEPHALUS*.

832. *XEMA ATRICILLA*. (*Larus atricilla*; 'Laughing Gull.') Straggler from N. America.

833. *RISSA TRIDACTYLA*. (*Larus tridactylus*; 'Kittywake.') Circuit of northern regions, Barbary, W. Asia.

834. *LARUS EBURNEUS*. ('Ivory Gull.') Arctic regions chiefly.

835. *LARUS CANUS*. ('Common Gull.') Europe, W. Asia, (Caspian.)

836. *LARUS ISLANDICUS*. ('Iceland Gull.') Arctic regions chiefly.

837. *LARUS FUSCUS*. ('Lesser Black-backed Gull.') Atlantic, Mediterranean, Red Sea, Indian Ocean, Cape of G. Hope, N. Zealand, Kábul (Burnes), Bay of Bengal.

338. *LARUS ARGENTATUS*. ('Herring Gull.') Polar regions, Atlantic, Mediterranean, Euxine.

339. *LARUS MARINUS*. ('Great Black-backed Gull.') Northern Atlantic, Mediterranean, Caspian.

340. *LARUS GLAUCUS*. ('Glaucous Gull.') Arctic regions chiefly.

341. *CATARRACTA SKUA*. (*Lestris catarractes*; 'Common Skua.') Arctic and Antarctic (?) regions.

342. *CATARRACTA POMARINA*. (*Lestris pomarinus*; 'Pomarine Skua.') Arctic seas.

343. *CATARRACTA PARASITICA*. (*Lestris Richardsonii*; 'Richardson's Skua.') Northern seas.

344. *CATARRACTA CEPHUS*. (*Lestris Buffonii*; 'Buffon's Skua.') Northern seas.

345. *PROCELLARIA GLACIALIS*. ('Fulmar Petrel.') Arctic Ocean to latitude of Britain.

346. *PROCELLARIA HÆSITATA*. ('Capped Petrel.') Indian and southern oceans: a rare straggler in Britain, that has been obtained once only.

347. *PUFFINUS MAJOR*. ('Greater Sheerwater.') Northern regions.

348. *PUFFINUS ANGLOBUM*. ('Manx Sheerwater.') Northern regions; stragglers occurring in the Mediterranean, Levant, &c.

349. *PUFFINUS OBSCURUS*. ('Dusky Petrel.') Tropical and S. Seas; Australia; rare northward.

350. *THALASSIDROMA BULWERI*. ('Bulwer's Petrel.') N. Africa, Madeira, Canaries.

351. *THALASSIDROMA OCEANICA*. (*Th. Wilsoni*; 'Wilson's Petrel.') N. and S. Oceans.

352. *THALASSIDROMA LEACHII*. ('Fork-tailed Petrel.') N. Ocean.

353. *THALASSIDROMA PELAGICA*. ('Storm Petrel.') N. Atlantic.

Of the foregoing series of 353 species of birds admitted as British by Mr. Yarrell, the whole are figured by him, excepting the two (Nos. 25 and 327) introduced in his preface,—the occurrence of them within the British islands having been ascertained too late for pictorial representation. The circumstance of a Pelican being found dead upon the coast of Durham has since been recorded; though such a bird is not unlikely to have escaped from confinement: on the other hand, Pelicans of two species are far from being rare in the S. E. countries of Europe; and one of them (*Pelicanus onocrotalus*) has several times occurred wild in France; this, also, is an Indian bird of rare occurrence,* being chiefly African, while two other species of Pelican are common in India. There is also the case recorded by W. Gould of the Spiny-tailed

* There is a specimen in the museum of the Asiatic Society, Calcutta, which was killed near Dacca.

Swift (*Acanthylis caudacuta*) : besides which, as before remarked, it is not shewn upon what grounds the Bimaculated Duck (*Anas bimaculata**) is rejected from the present edition ; especially as this bird of northern Asia has several times been killed in France, and specimens of it have been obtained in the London markets, which were at least as *probably* from the British fens as from the Low Countries ; and it being, therefore, a most likely bird to make its appearance sometimes, however rarely, on the British side of the Channel and German Ocean. The *Nycticorax cayannensis* was admitted in Mr. Yarrell's first edition, upon the authority of a specimen killed near Yarmouth in Norfolk ; but this too is now rejected, perhaps on the unlikely supposition (of Prof. Schlegel) that it might have escaped from captivity.

About twenty-six species, as we have seen, of those admitted are stragglers from the American side of the Atlantic ; with No. 174, which is an American species introduced by man : and besides these, some eight or nine other American species of birds have been admitted, upon evidence more or less satisfactory, as stragglers upon the continent of Europe ; such are—*Haliaeetus leucocephalus* (not particularly well authenticated), *Merula migratoria* and *Turdus solitarius* (vel *minor*), *Totanus* (vel *Catoptrophorus*) *semipalmatus*, *Himantopus nigricollis* (in Corfu), and *Ardea herodias* (?), *Anser hyperboreus*, *Anas* (*Dendronessa*) *sponsa*, and *Fuligula ruftorques* (in England, *apud* Schlegel.) *Turdus auroreus* of Pallas, described by that great naturalist as inhabiting the island of Kadick, on the W. coast of N. America, has several times been killed in Germany, according to Prof. Schlegel ; although a re-examination of the specimens (particularly one obtained in Silesia) he still thinks to be necessary.

Other species included by Mr. Yarrell belong properly to the Polar regions ; whence, if migratory, they rarely attain to so low a parallel as even the northernmost parts of Britain. Such are—the Gyr Falcon and the Snowy Owl, the Hawk Owl ; and among *Insessores* the *Lanius excubitor*, *Oticorys alpestris*, and *Centrophanes lapponicus* ; with numerous aquatic birds, and the diminutive *Lobipes hyperboreus* (a wader of natant propensities). Some are common in Scandinavia, however rare in Britain ; as the Great Black Woodpecker, Nutcracker, Parrot Crossbill, Pine Grosbeak, &c. : while others pay irregular visits (there is reason to believe) from the wood-clad regions of Siberia ; as especially the *Ampelis garrulus*, and perhaps *Loxia bifasciata*. Others,

* Erroneously identified by Mr. Yarrell and others with *A. glaucans*, which is a synonyme of *A. formosa* (another beautiful Duck of N. E. Asia, which we once procured in the Calcutta provision-bazar) : and, as a result of this misidentification, *A. formosa* in addition to *A. bimaculata* has found its way into some of the catalogues of the birds observed in Europe.

again, stray occasionally from their proper home in Africa ; being migrants to a greater or less extent, which, however, seldom advance to a higher latitude than Spain ; such are *Oxylophus glandarius*, *Erythropygia galactotes*, *Turnix andalusica*, *Cursorius isabellinus*, *Glareola torquata*,—and even some as yet unobserved in the Spanish peninsula, as *Pycnonotus auriventer* and *Plectropterus gambensis*. Certain of those African stragglers extend their habitual range far into Asia, as *Neophron percnopterus*, *Merops apiaster*, and *Coracias garrula*. Some again are tolerably common in proximate or parallel regions of the European continent (even on the opposite shore of the British channel, as *Galerida cristata*), which nevertheless are comparatively very rare in Britain, *e. g.* the Hoopoe, Oriole, and Woodchat Shrike.* A few appear to be wanderers from the high mountains of Central and S. Europe ; as *Gyps fulvus*, *Accentor alpinus*, if not also *Cypselus melba* ; and, again, among the oceanic birds, there are stragglers from the parallel of Madeira, as *Thalassidroma Bulweri*, or even far southern latitudes, as *Puffinus obscurus* and especially *Procellaria kasitata*. M. Degland even includes, in his 'Ornithologie Européenne,' two species of Albatross proper to the southern hemisphere, upon the authority of specimens having been captured upon the coasts of France and of Norway.

Not a few of the common British species of birds range eastward to Afghânistân in the direction of India, but there stop (so far as observed hitherto), or at most have found their way no further than the Peshâwur valley and its vicinity ; being likewise inhabitants of Kashmir, for the most part : such are the Carrion and Hooded Crows, the Rook, and the Jackdaw,—also, as a remarkable instance, from its great power of wing, the common Swift of Europe, *Cypselus apus* : the *Pterocles alchata* seems to find the same eastern limit ; while other desert birds, as *Certhilauda desertorum* and *Ammomanes lusitanica*, are diffused from Spain and N. Africa to the deserts of N. W. India : the European Roller and Bee-eater inhabit Sindh and the Punjab ; and the British Wheatear is a winter visitant over much of Upper India : again, the Landrail is common in Afghânistân, though hardly known on the Indian side of the Passes ; and the European Little Bustard is not uncommon in the Peshâwur valley : † while, as we have seen, the Houbara Bustard of Sindh and Afghânistân finds its way occasionally even to the westernmost parts of Europe.

* On the other hand, certain small land-birds are permanently resident in the southernmost parts of Britain, which on the continent scarcely inhabit so far to the northward ; as *Melizophilus provincialis* and *Emberiza cirius*.

† In Afghânistân, *Passer salicarius* and *Petronia stulta* are common, if not also *Sitta syriaca* ; the second of these visiting Peshâwur and Kohât. *Loxia curvirostra* has also been observed numerous in Afghânistân.

Thus far, little or no doubt exists respecting the precise determination of species: but, in attempting a statistical summary of the conclusions to be deduced regarding the extent of the occurrence of British species of birds in India, that difficulty at once presents itself, arising from the various shades of opinion entertained by different naturalists concerning the identity or non-identity of certain species, as observed in the British islands and in India. Thus, while disregarding the laborious efforts of such transcendental *hair-splitters* as the Pastor Brehm and the Chevalier Raffinesque (the "eccentric naturalist" of Audubon), or merely cursorily alluding to them, we find that Mr. Gould (as before remarked) recognises as distinct the Peregrine Falcons, common Quails, and Goosanders of the two regions; while, to take the opposite extreme (also before cited), Prof. Schlegel considers—or did formerly consider—"the Himalayan Jay" to be a mere "climatal variety" of the European *Garrulus glandarius*. In this dilemma, we might select the disputed cases, and proceed to "split the difference" by admitting half of them; but it will be more satisfactory to treat of the entire series in the following manner.

Of the birds of prey, Mr. Yarrell admits 33 species, of which exactly two-thirds are diurnal, and one-third nocturnal. Of the 22 diurnal, six only are inadmissible into the Indian fauna, according to present knowledge; the *Pernis* being (provisionally at least) admitted. Of those six, the *Nauclerus* is a straggler from America; and the Jer Falcon is an Arctic bird, though apparently the *Shangur* of Indian falconry. The Rough-legged Buzzard also is a northern bird, as regards Britain, seen only in winter or at the times of passage. There remain the Merlin, which may be expected yet to prove a winter visitant in the Punjab,—the common European Kite,—and the White-tailed Sea-eagle. The Peregrine Falcon is the only species respecting which doubt has been expressed, of its absolute identity in India and the British islands. Of eleven nocturnal species, *Scops asio* is an undoubted straggler from America: the great Snowy Owl is Arctic; and such, or at least sub-arctic, must be considered the *Surnia funerea* and *Nyctale Tengmalmi*: *Scops Aldrovandi* and *Athene psilodactyla* may be regarded as summer visitants only, wintering further south; like the Hobby, Pern or 'Honey Buzzard,' and one or two others among the *Falconidæ*. Three only are certainly identical in the two regions,—of which *Athene psilodactyla* is peculiar in India to the extreme N. W., with Afghânistan; and, so far as the Algerian variety is at all appreciable as such, seems to be identical with it;—the *Asio otus* is confined in India to the Himalaya,—and the *A. brachyotus* is, in this country as elsewhere, migratory in considerable flocks, visiting the plains during the cold season. *Syrnium aluco*, however, is barely separable from

S. nivicolum of the Himalāya; and *Scops Aldrovandi* approximates very closely to *Sc. bakkamœna*: while *Bubo maximus* is likely to occur in the Alpine Punjab. Certain other species of diurnal birds of prey, which are common in India, extend more or less over the European continent, but do not occur in Britain.

Of the *Insessorial* tribes, Mr. Yarrell includes 127 species; of which we may reckon 34 as having been observed in India. Of the others, 5 are wanderers from America (Nos. 125, 126, 149, 153, and 157), and 2 may be regarded as Arctic (Nos. 96 and 101); while the *Reguloides proregulus*, common in India, is perhaps as rare in the west as *Turdus pilaris* is in the Himalāya. The disputed cases are *Turdus viscivorus*, *Passer domesticus*, and may be one or two others,—*Pratincola rubicola* for instance, and even *Hirundo rustica* (of which we acknowledge one and not the other.) Certain other species of S. Europe might be added to the list, as especially the pretty little Wall Creeper (*Tichodroma phænicoptera*), which is very common, fluttering like a butterfly (as Mr. Vigne remarks,) on the face of the Himalāyan precipices.

Of Pigeons, Mr. Yarrell includes five species only, one of them being a straggler from America. The four others have representatives or counterparts in India, more or less strongly distinguished, as already noticed; and perhaps so nearly akin that the races inhabiting the two regions would blend, if circumstances permitted of it, at least in two or more instances, as *Columba intermedia* with *C. livia*, and *Palumbus casiotis* with *P. torquatus*.

Of gallinaceous birds, 11 species are made out by Mr. Yarrell: but they include the Pheasant (introduced from W. Asia,) two kinds of Red-legged Partridge (also introduced species,) and the N. American *Ortyx virginiana*! Also a little straggler from the south, the *Turnix andalusica*, upon the authority of a single pair having been obtained. There remain two species of Grouse (one of which, having been extirpated, has been restored from Norway,) two also of Ptarmigan, the Grey Partridge, and the common Quail. The Grouse and Ptarmigan have no representatives in the Himalāya; but the European Grey Partridge has a remarkable counterpart or immediate congener in Tibet; and with respect to the Quail, which Mr. Gould regards as different from the Indian Quail, Mr. Yarrell remarks that—"I have carefully examined and compared specimens from China, India, the Cape of Good Hope, and England; and must pronounce them, in spite of the extraordinary geographical range, to be one species: the differences between the specimens not being greater than are found amongst individuals from the same locality."

Of the waders (so called, though comprising many genera of non-wading habits,) Mr. Yarrell admits 74 species, of which at

least 52 (or nearly three-fourths) are common to the two regions; including of course the stragglers on either side. Of the remaining 22, just half are wanderers from America; and the residue are *Otis tarda*, *Cursorius isabellinus* (African,) *Glareola torquata* (African, but not well distinguished from *Gl. orientalis*), *Pluvialis apricarius*, *Charadrius hiaticula*, *Ardeola comata* (replaced by *A. leucoptera*), *Scolopax major*, *Sc. Sabini*, *Limosa rufa*, *Tringa maritima*, and *Rallus aquaticus*. *Limosa rufa* is stated by Temminck to occur in Java and Timor; and there may be difference of opinion about separating *Rallus indicus* from *R. aquaticus*. Another contested case is the identity of the 'Great White Egret,' which is here assumed; this being an exceedingly rare bird in Britain, as are also the two other Egrets admitted by Mr. Yarrell.

Lastly, of the web-footed tribes, Mr. Yarrell admits 103 species, of which 34 are common to the two regions. Of the latter number, 20 appertain to the *Anatidæ* or Duck family, and 8 to the series of Terns; the remaining 5 consisting of two Gulls, a Cormorant, and two Grebes (one of the latter not uncontested as identical.) There is of course no Indian representative of the *Alcadæ*, or Awk family of northern regions; nor is there of the Loons (*Colymbus*;) neither has any Petrel as yet been identified in the Indian seas, though at least one small species has been repeatedly seen (in boisterous weather) in the Bay of Bengal. Of the *Anatidæ*, the Swans are represented only by a single instance of one having been obtained in the valley of Nepal; and of 3 Geese, one only (*Anser cinereus*) is common, a second (*A. brachyrhynchus*) is identified from one of a series of coloured drawings of birds made in the Punjab,—and the third (*Bernicla ruficollis*) we recognised from an unmistakeable description of a specimen killed in Upper Hindustán, it being undoubtedly of extreme rarity. The Goosander and the Smew represent the Mergansers (albeit the identity of the former with the European bird has been questioned;) and, of the remaining *Anatidæ*, the Sea Ducks are only represented by *Clangula glaucion* in the N. W. of India, while the ordinary Ducks comprise 9 species which are common to the two regions, and the Pochards comprise as many as 6 species.

The details into which we have been led will, it is hoped, render Mr. Yarrell's 'History of British birds' a very useful work of reference to the student of Ornithology in this country: and, as it is desirable to indicate the chief authorities which have been consulted in the course of this essay, more especially in tracing the geographical range of species, we now, by way of conclusion, subjoin them:—

'Proceedings of the Zoological Society.' London. From 1830-31.

'*The Annals and Magazine of Natural History*,' from January, 1842. London.

'*Revue Zoologique par la Société Cuvierienne*;' from January, 1838. Paris.

'*Journal of the Asiatic Society of Bengal*,' from 1832. Calcutta. (Comprising numerous ornithological memoirs, &c.)

'*The Madras Journal of Literature and Science*.' Vols. X. XI., XII., XIII., (1839 to 1844.) Madras.

'*Catalogue of the Birds in the Museum of the Asiatic Society*.' Calcutta. 1852.

'*A Catalogue of the Birds in the Museum of the Hon'ble East India Company*.' Vol. I., 1854. Additional portion received, as far as p. 649.

'*A Catalogue of the Specimens and Drawings of Mammalia and Birds of Nepal and Tibet, presented by B. H. Hodgson, Esq., to the British Museum*.' London, 1846.

'*Comptes Rendus Hebdomadaires des Sciences de l'Académie des Sciences*.' 4to. Paris. Tome XXXVII (1853,) et seq.; containing many valuable Ornithological Notices and Memoirs, by S. A. I. C. L. BONAPARTE, Prince de Canino et Musignano. Paris.

'*Catalogo Ornitologico del Gruppo di Malta*,' da ANTONIO SCHEMBRI, &c. &c. Malta, 1843.

'*Quadra Geografico-Ornitologico ossia Quadro Comparativo le Ornitologie di Malta, Sicilia, Roma, Toscana, Liguria, Nizza, e la provincia di Gard*,' compilato da ANTONIO SCHEMBRI. Malta. 184—?*

'*Systematische Uebersicht der Vögel Nord-Ost-Afrikas, nebst Abbildung und Beschreibung von Fünfzig Theils Unbekannten, theils noch nicht Bildlich Darjestellten Arten*.' VON DR. EDUARD RUPPELL. Frankfurt A. M. 1845.

'*Voyage d'Orenbourg a Boukhara, fait in 1820, a travers les Steppes qui s'étendent a l'est de la Mer d'Aral et au-delà de l'Ancien Jazartes*;' Redigé par M. LE BARON GEORGES DE MEYENDORFF, &c., &c., et revu par M. LE CHEVALIER AMADEE JAUBERT. Paris. 1826. Oiseaux, p. 503 et seq.

'*Addenda ad celeberrimi Pallasii soographiam Rosso-Asiaticam*.' Auctore Dre EDUARDO EVERSMAHN Fasciculus II. Casani. 1841.

* Date erased in our copy.

ART. VIII.—1. *The Darjeeling Guide.*2. *Records of the Bengal Government.* No. XVII.3. *Indian Annals of Medical Science.* No. VII.4. *Agra Guide.* Vol. II., 1841.5. *Hooker's Himalaya Journals.*

IT is a singular fact that the Darjeeling hills were, for many years after the British obtained a footing in Bengal, a *terra incognita* to the Christian people resident in the plains in their immediate vicinity. Scorched by the burning sun, saturated by the heavy rains, and debilitated by the insalubrious climate of the lowlands, the Christian inhabitants of the Zillahs Purneah, Dinagepur, Rungpur and Malda, lived within sight of the forest-clad hills and snowy peaks of the Himalaya range, with scarcely a thought that they might be a refuge from the sultry heat and pestilential malaria of the lowlands in which they vegetated. The idea that this beautiful range of country might be turned to sanitary and other useful purposes did at length suggest itself to those who were interested, not only in the well being of those who dwelt in their immediate vicinity, but for invalids resident, generally, in Bengal and Behar. The thought once suggested was, as soon as official routine would permit, reduced to practice. The sickly Terai was passed, the mountains were scaled, and the district surveyed by intelligent and enterprising men.

The advantages offered by Darjeeling as a Sanatorium and a Military station were frequently brought to the notice of Lord William Bentinck. The first official report on the subject was presented by Colonel, now General, Lloyd; the report was favorably received by the Government. Next to General Lloyd, Mr. Grant of the Civil Service was one of the most zealous advocates of Darjeeling as a station. Owing to the reports of General Lloyd, Mr. Grant and others, the Governor General appointed Major Herbert, the Surveyor General, and Mr. Grant, to visit and report on the general capabilities, and on the eligibility of the Sikkim mountains as a Military station and Sanatorium. The report of these gentlemen was highly favorable to the district, both for military and sanitary purposes.

The Darjeeling hills formed originally a part of the territory of the Rajah of Sikkim, a hill chieftain, whose capital lies contiguous to the Nepal country, and on the high road from Darjeeling to Thibet. This mountain chieftain had been driven from his country by the Ghorkas, the warriors of Nepal. When the affairs of Nepal were adjusted, the British Government replaced the Sikkim Rajah

on his throne, and guaranteed to him the sovereignty of his territory. The principal object which the British Government had in view in this arrangement, was to make the Sikkim country a post of defence between Nepal, Bhotan and the whole Himalaya eastward to the borders of Burmah, to prevent the marauding Nepalese from extending their conquests in the mountain countries between Nepal and the empire of the Golden Foot. Notwithstanding the importance of the locality in a military point of view, Darjeeling and its claims were held in apparent abeyance from 1817 to 1828. A frontier dispute between the Lepchas, the aborigines of the Darjeeling hills, and the Nepalese, brought the subject once more prominently into notice. The dispute, according to the terms of a treaty entered into by the British Government, the Nepalese and the Rajah of Sikkim, was referred to the Government of India. While this matter was under consideration, Mr. Grant visited the hills, and pointed out to Lord William Bentinck the eligibility of the locality as a Sanatorium. The issue of his recommendation was the appointment of the commission to which reference has already been made. The various reports on the subject had in the meantime been forwarded to the Court of Directors. The authorities in Leadenhall Street looked with a favorable eye on "the Bright Spot," and suggested the propriety of making the new settlement a depôt for European recruits, as well as a military station and sanatorium.

The Government of India, on the receipt of these instructions, at once took measures for securing a locality in the Sikkim hills. Application was made to the Rajah of Sikkim to cede a tract of country in which Darjeeling should be included, and for which an equivalent should be given. The terms at first proposed by the Rajah were exorbitant. He ultimately agreed to surrender the Darjeeling range, receiving from the British Government, in return for the ceded district, £300 per annum.

General Lloyd and Dr. Chapman were then despatched to visit the hills, to report on the most eligible locality for the new station. They selected Darjeeling, and the history of the settlement has proved the wisdom of their choice. In 1840, Dr. Campbell, then holding office at Nepal, was appointed Superintendent of the Darjeeling territory. He was also entrusted with the charge of the political relations between the British Government and the Sikkim Rajah.

The arrangements entered into between the British Government and the Sikkim chieftain went on harmoniously for the first few years. The Rajah was somewhat of an ascetic, and left political affairs in the hands of his Dewan or prime minister. The Dewan acted strictly in accordance with the spirit of the treaty entered into between the two Governments. He was succeeded by a man of a different temper—a Tibetan, a re-

lative of the Rajah's wife, an insolent and avaricious man, whose object was to monopolize the trade of the country and to aggrandize himself. Every thing and person British was tabooed, and every impediment which a Chinese nature could present to friendly intercourse between the two countries was thrown in the way. The British Government and the Resident at Darjeeling met this conduct of the Dewan either with neglect or forbearance. This conciliatory conduct was misinterpreted by the prime minister. He mistook forbearance and neglect for weakness and fear: and like all narrow-minded men became bold through the forbearance of those with whom he had to deal. His conduct at length reached its climax, and terminated fatally for the territorial and pecuniary interests of his master. Dr. Campbell, the resident at Darjeeling, while travelling through the Sikkim country, was seized by order of the Dewan. He was imprisoned, and during his imprisonment suffered such indignities as petty tyrants know how to inflict. Troops were despatched, the Resident was liberated, the Rajah's pension ceased, and a part of his territory, the Morung, was resumed by the British Government. All friendly relations, as a matter of course, ceased between the British and the Sikkim authorities; Sikkim was a sealed country to the former, and ceased to be the high road for commerce between Darjeeling and Thibet. This state of things continues up to the present time, though hopes are entertained that amicable relations may shortly be resumed between the two countries—a pension to the present Rajah looms in the distance, and is a ground of hope of a better state of things in that part of our eastern frontier. The old Rajah has retired to a Lama monastery; his son and successor is favorable to the British, but the Dewan still lives. His influence is great, and is the chief obstacle to friendly relations being entered into between the British Government and that of Sikkim.

The foundation of the station at Darjeeling having been laid, it steadily progressed. To the amiable and enterprising conduct of Dr. Campbell, the first Superintendent, may be traced the prosperity of the station and territory. That others have contributed to the present improved state of the district cannot be denied; but to Dr. Campbell the palm must be yielded. He watched over the territory with parental anxiety, it was in his heart that it should prosper. His object was to inspire the Aborigines with confidence in the British rule, to induce the neighbouring tribes to settle in the territory, and to render Darjeeling a commercial centre for traders from the countries round about, extending even to Thibet. That he has to a great extent succeeded in obtaining settlers, is evident from the large tracts of land which have been cleared of dense forest jungle, and that his commercial hopes

had begun to be realized, before the rupture with Sikkim, the Darjeeling bazaar and the fair at Titalya, at the foot of the hills, amply prove.

Darjeeling, as will have been gathered from the brief history now given, is situated in the Sikkim hills. The name is applicable both to the Station and to the Territory. The word Darjeeling has been variously interpreted. The popular interpretation appears to be "The Holy or Bright Spot." The territory is bounded to the north by the river Raman, which divides it from Sikkim; on the east by the rivers Runjeet and Teesta, these divide it from Bhotan; on the west the river Mechi divides it from Nepal; from the source of the Mechi northward the ridge of the Tonglloo and Phullat mountains, conveys the western boundary north to the River Raman. The Zillahs Rungpur and Purneah are contiguous to its Southern or Terai boundary. The territory may be divided into two sections, the northern and southern. The northern consists of a succession of mountain and valley, with an average altitude above the sea level of from 4,000 to 9,000 feet; the Southern or Morung country consists of the skirts of the first range of the Himalaya, and the plains between that region and the Zillahs of Rungpur and Purneah. The station of Darjeeling is situate in Lat. $27^{\circ} 2' 53''$ N., Long. $88^{\circ} 18' 41''$ E. It is a spur of the second range of the mountains of Sikkim. The spur trends in a northerly direction. It is shut in from the plains, and is sheltered from the winds and mists, which ascend from the lower districts, by two ranges of hills or natural screens, and to this provision of nature may be traced its comparative freedom from the mists and rains to which the outer ranges are subject. It is about thirty miles from the foot of the hills by the road, and fifteen in a straight line. Its elevation above the sea level is 7,165 feet. The ridge on which it stands varies in height from 6,000 to 7,600 feet; 8,000 feet being the elevation at which the mean temperature most nearly coincides with that of London. It is sheltered on the east by the Sinchal mountain, which rises to nearly 9,000 feet, and from whose summit a distant view of the plains may be seen, early in the morning, on a clear day.

The ridge on which Darjeeling stands, like most of the spurs in the Himalaya, is generally narrow, or what is termed hog backed. It has a steep descent on its eastern side, which runs down to the torrent stream of the Rungnoo. The views presented on this side of the ridge, are, on a favorable day, most exciting. Mountain and valley stretch away as far as the eye can reach, until they merge in the snowy range, which in every varying form trends to the east for upwards of sixty miles. The murmuring waters of the Rungnoo make sweet and fitting music to such a scene. On the western side, the ridge declines in more gentle

declivities, a kind of terraced slopes, intersected by numerous mountain streamlets, the whole forming a picturesque amphitheatre two or three miles in circumference. The station viewed from the more artistic points forms a pleasing *coup d'œil*. The Swiss-cottage-like houses, perched on commanding knolls or nestling under sheltering hills, with their well-trimmed gardens, the bazar and sepoy lines, the village church on the hill, the cutcherry, the ruined Llama temple, with the wide-spread valley clothed with luxuriant forest foliage and verdant crops, and flowers of every form and hue, with here and there a silvery mountain stream, give it the appearance, on a calm summer's eve, of

“A spot enclosed by God,
Out of the world's wild wilderness.”

This sylvan refuge for the weary residents of the plains, is distant from the Metropolis of British India, our busy, reeking Calcutta, 371 miles.

There are in Darjeeling some seventy houses, and a Christian population, including children, the invalids, and the Depot establishment, of upwards of two hundred. In the season this number is considerably augmented. There are in the station the following public buildings and institutions. The Invalid Establishment for sick soldiers of Her Majesty's and the Hon'ble Company's services. There are usually about one hundred and fifty invalids at the Depot. They are under the charge of a Commandant and a small body of officers. There is a military officer and an apothecary attached to the Depot. The establishment is on the Jellahapahar, the highest point in the station. It is the first object which arrests the attention of the visitor on his entrance into the station. At the other extremity of the station stands the Episcopal Church, a neat and simple structure; near it is the Cutcherry, under its roof all the official business of the station is transacted. The Treasury is here also. Lower down are the Assembly and Reading rooms. Below this again is the Baptist Chapel, and still further down the Jail. One Hindu temple stands near the Bazar, and a small house fitted up as a Mosque is in the same vicinity. The Government school is in the same locality. In a retired nook on a lower elevation stands the Roman Catholic Nunnery and Chapel. There is a Roman Catholic Chapel also at the Jellahapar for the invalid Roman Catholic soldiers. The Bazar and the Sepoy lines are on a cleared spot in the centre of the station. The bazar is upon the whole well arranged, and tolerably well supplied. The Bunneahs are all from the plains. The shops have been erected by, and are the property of, the Government. The authorities however do not interfere with the prices of things sold in the bazar. Trade is quite free, and every encourage-

ment has been given to tradesmen to settle at the station. The Lepcha bazar needs improvement. It is ill built and dirty; this is however quite in accordance with Lepcha taste. The officials in Darjeeling are not numerous. The Superintendent is the sole ruler of the station and territory, except in certain Criminal Cases, when the Judge from Dinagepore officiates. Assessors are sometimes appointed. The Judge is not however bound by their decision, they are merely selected with a view to give the Superintendent or Judge the benefit of their local experience. There is a resident officer attached to the Sapper corps; he has charge of the roads and other matters which call for the skill of the engineer. A Civil doctor resides in the station. A chaplain is appointed by Government to officiate in the Church and to the invalids at Jellapahar. He is appointed for two years. There is a Baptist Missionary, connected with the Mission established by the Rev. W. Start; he labours chiefly amongst the Lepchas. A School Master has been recently appointed to the Government school, and there is a Teacher for the children of the invalids at the Military Sanatorium.

The prosperity of the station has called into existence, besides the native shops in the Bazar, European shopkeepers, butchers and gardeners; and one small Tavern, or, as it is termed, a dak bungalow. A good Hotel is needed at Darjeeling. Parties have commenced Taverns; but hitherto they have not succeeded. As the station progresses, and the number of casual visitors increases, there will be a better prospect for any one entering on such a speculation.

In presenting an account of Darjeeling we cannot omit to mention some by whose enterprise the station has been helped into prosperity. Amongst others may be mentioned General Lloyd, S. Smith, B. Hodgson and D. Wilson, Esqrs., Sir Thomas Turton, Mr. Lowe, Col. Crommelin, Dr. Withecombe, Capts. Masson, Cornish and Murray, and Mr. Martin. There are others of whom we doubt not honorable mention might be made, were we more familiar with the details of the history of Darjeeling. Amongst the florists, General Harvey with his garden of beautiful flowers deserves notice.

The approaches to Darjeeling are full of beauty and interest to the traveller. Having left the scorching plains of Bengal, the first change which the visitor experiences is the Terai or belt of dense forest jungle, which skirts the base of the Himalaya. This though beautiful is no paradise. It is most unhealthy, and notwithstanding the partial clearings, is deemed an unsafe spot for a stranger to pass the night in. To sleep in the Terai is generally equivalent to "gaining a loss" in the shape of jungle fever. The unhealthiness of this hot-bed of disease, arises from the want of drainage. The waters from the hills find no free passage,

they are pent up by the massy jungle, and either percolate the gravel beds or are carried off by evaporation. The want of circulation, owing to the proximity of the mountains, and the amount of malarious vapour ever hanging over the district, as well as the sources already adverted to, sufficiently account for the unhealthiness of the Terai. Cultivation and good drainage will doubtless tend very materially to change this nest of fever into a comparatively healthy district. In the mean time we may suggest the almost certain means of avoiding the evils of the Terai. Let the journey through it be made in the morning from seven to ten, and the chances are that no injurious effects will be experienced. In the season of 1856, parties traversed the Terai during the whole season, in palkies, on elephants, on horseback, and by carts; and, as far as Christians were concerned, in every instance, with impunity. The Terai is inhabited by the Mechis, a squalid and unhealthy-looking race; their companions are tigers, wild elephants and bears, fitting residents for such a region. In passing through the Terai, the bed of the Mahanuddi is passed. Having passed this mountain stream, the ascent is gradual through a district rich in natural scenery. Crossing a rustic bridge, and traversing a long picturesque mountain road, the first puffs of a cooler atmosphere begin to be felt. At the termination of this road the ascent becomes abrupt, and we have reached the first step in the Himalaya ladder. On a small knoll at the head of the ascent we reach Punkabarria, the first station in the hills. It is 2,500 feet above the sea level.

The India Rubber tree (*Ficus Elasticus*) is to be found here, as well as in the valleys higher up on the same level. This Dr. Hooker states is the western limit of this plant.

The next stage is from Punkabarria to Kursion. The rise from the first to the second station is very abrupt. The road is however so constituted as to render the ascent comparatively easy. The journey from Punkabarria to Kursion is most enchanting.

The soil and its productions are completely new. The soil is mica and clay slate, the former, says Hooker, being full of garnets. A noble forest replaces the stunted and bushy vegetation of the Terai. The passage through this region in the spring is a treat even to the residents, much more to the weary traveller from the plains. It is like passing through the vast, well-wooded park of some feudal lord. Lofty mountains rise on every side, covered from the base to the summit with magnificent forests, their offspring of orchids, vines and climbers being interlaced in most fantastic forms. The sides of the road are covered with a rich variety of ferns and flowers, while here and there a mountain stream gives out its music to aid the few song-birds who chaunt sweet notes in shady groves.

Ascending, open spots give artistic views of the vast plains,

which stretch out from the base of the mountains to the horizon, "like the smooth surface of a summer's sea." The distance from Punkabbaria to Kursion is six miles : owing, however, to the abruptness of the ascent, it takes about two hours to reach the second station. Kursion is one of the gems of the Sikkim hills, and will in time, we doubt not, become a station of importance. It is situated on a large ridge or spur, through which the high road to Darjeeling passes. Its elevation is 5,200 feet above the sea level. The view from the Eagle's Crag, a bold, rocky eminence, is most extensive and picturesque. The broad plains of Purneah, Dinagepur, Rungpur and Malda, with their dense forests and verdant crops, intersected by the silver streams of the Mechi, Mahanadi, Teesta, the Brahmaputra, and on a very clear day, the great Ganges, are seen stretching out as far as the eye can reach to the South and East. To the North Kinchijunga and his companions raise their icy peaks, while immediately in the vicinity lofty mountains and deep valleys, clothed with everlasting spring, encircle you on every side. The zephyr-like breezes wafted up from the plains, come laden with the rich perfumes of sweet scented flowers, and clouds, of which Kursion appears to be the laboratory, rise up in most fantastic forms. Kursion boasts its water-fall, which during the rains is an object of great attraction. The climate of Kursion is not unlike that of Nice, with this exception, that during the rains it is necessarily damper. Medical men give the preference to Kursion for patients suffering from pulmonary affections.

The next stage is from Kursion to Chuttuckpur. The rise is abrupt for three or four miles, when it becomes more easy till you reach the third bungalow. The scenery is much the same as below. Nature, ever varying, changes her dress as we ascend, new varieties in the floral and arborial world make their appearance, and the atmosphere becomes sensibly cooler. The weariness of the plains is exchanged for the elasticity of the mountains. The whole system becomes invigorated, the appetite sharpened, and the spirits more exuberant.

Chuttuckpur lies like a nest in the side of a lofty mountain. It is generally in the clouds, and is on that account a damp and not over-comfortable bungalow. It is, however, a welcome rest-house to the mountain traveller. The road from Chuttuckpur to Darjeeling is, until you come within a short distance of "the Bright Spot," almost a level. The scenery is bold, the road passing through lofty mountains and majestic forest trees. The mountain streams are more impetuous, the air cool and refreshing.

On the road to Darjeeling, and about midway between Chuttuckpur and the central station, is Sanadah, a village and a resting

place for troops. On a spur descending from this station is the new settlement of Hope Town. This station was only commenced at the close of the rainy season of 1856. It owes its existence to the enterprise of two or three gentlemen from the plains. Their object is to make it a settlement for residents. The cleared land has been purchased from the natives. The proprietors have no wish to make a profit by the re-sale of the land, their object being to induce people to become settlers, and to develop the resources of the country. The location has been surveyed and marked out in lots of from one hundred to five hundred acres, with building plots. A Tea Company has been formed in connexion with the Hope Town settlement. A portion of the profits of the sale of land is to be appropriated to the erection of a place of worship,—unsectarian,—a school house, a dispensary and a bazar. The greater portion of the land has been taken, three houses are nearly erected, and others will soon be commenced; a road has been made from the main road down to the Balasun, and all the shares, and more than were originally issued, of the Tea Company, have been taken up. We shall watch with interest this attempt to form a Colony of Himalaya farmers in the Darjeeling territory: and from what we know of the men who have started it, we have little doubt of its success. Retracing our steps we pass on to Darjeeling. The immediate approach to it is steep, the top of the Jellapahar has to be attained before we can see “the Bright Spot.” Having reached the top of the Himalaya Pisgah the station is in full view, and well repays the toil of the wearisome journey, the accidents by flood and field, by plain and valley and mountain.

The natural scenery of the Darjeeling territory is full of interest to the admirer of nature and the man of science. From the Jellapahar, the highest point in the station, the views on every side are pregnant with grandeur and beauty. To the south the landscape is a succession of mountain and valley, covered from the base of the mountains to their loftiest peaks with the most luxuriant forest foliage. To the east the Sinchul raises its lofty head, covered with the sweet-scented magnolia, and with a forest of richly hued rhododendra. To the north, the mountains of the lower range of the Himalaya, like massive mountain billows, rise one over the other covered with eternal spring, till they merge in the snowy range; while in the distance Kinchijunga, the monarch of mountains, raises his silver crested peaks high even above his aspiring companions. To the west rises Tonglo and Phullot. Abrupt slopes, deep ravines, cleared patches and mountain streams, encircled by lofty mountains, make up a picture which, when lit up by the rays of the rising or the setting sun, can have few if any rivals. Nor must we omit the

cloud scenery of this beautiful region. Here the clouds are seen in all their perfection, assuming every imaginable form, and tinged with ever varying hues.

Their ever-changing forms and shapes
By rainbow hues adorned,
Seem oft as if by heavenly skill
For angels' chariots formed.

Nor is their beauty diminished by the dark outlines of the mountains on which they cast their airy shadows. The lover of nature can desire no view more entrancing than this land-locked Sanatorium, either at sunrise or by moonlight. Both are calculated to stir the poet's muse, or to inspire the artist with a desire to give, in mimic form, the great realities of nature; nor will the ordinary mind be unimpressed with the greatness, wisdom and benevolence of Him who made the whole.

The want felt in this region, is that which lends additional enchantment to the scenery of the Alps and the hills of Westmoreland. There are no lakes in the Darjeeling territory. The rivers too, which in the rains are roaring and blustering streams, become in the dry season mere gently flowing and erratic brooks.

The taste displayed by the residents in the selection of sites and the laying out of their grounds, gives a minor grace to the scenery. It would be impossible to enumerate all, but we cannot pass by Brianston, the residence of B. Hodgson, Esq., late of the Bengal Civil Service.

Both as it respects situation and taste, Brianston is a gem of a mountain home. Its broad acres tastefully arranged, and its rustic bungalows, prove that it has been the product of an intelligent and tasteful mind, of one who has determined to make the Himmalaya not only the field of scientific research, but his home. The hospitality manifested by the proprietor of Brianston is too well-known to need more than a passing record. Nor is hospitality confined to this mountain home. If the ennui which must be felt by those who are accustomed to busier scenes can be dispelled by domestic generosity, it will be by the hospitality of the residents in the Darjeeling hills.

The *climate* of Darjeeling is adapted to the generality of European constitutions. The mean temperature throughout the year is 55° to 56°. Equality of temperature both of day and night during the year is a marked peculiarity of the climate. The air, which is keen in the cold, dry season, is pure during the entire year. The people dwelling at Darjeeling may in the course of a few hours have almost any temperature they please. A descent of one or two thousand feet will take them from the cold breezes of the Jellapahar to the more genial stations on the lower slopes, and in the neighbouring valleys, the old Indian may luxuriate to his heart's content in a climate almost as warm as that

of the plains. The valleys are not, however, the most salubrious locations; want of free circulation engenders fever, and other diseases common to low and sultry localities.

The year may be divided into two parts, the rainy and the dry seasons. The rains commence about the middle of May, and continue until the middle of October. The rains in the hills are regular down-pours; they come down in right good earnest. Owing to the slopes, and the porous nature of the soil, the water does not long remain on the surface, it is soon either absorbed or finds its way by the mountain streams to the beds of the rivers. A short interval of sunshine serves to render the ground dry, and gives a good road on which the pedestrian or equestrian may take his accustomed rambles. When during the rainy season there is a temporary cessation of the rain, the climate is exquisite and the atmosphere clear and brilliant. The dry season commences in October, and continues until May. January and February are very cold, with almost daily frost. March, April and May are the dry and warm months, or spring period; when beautiful, sweet-scented flowers and indigenous fruits make their appearance. The following extract from the Darjeeling Meteorological Register shews the mean temperature and fall of rain from 1853 to October 1856:—

Extract from the Darjeeling Meteorological Register, mean temperature and fall of Rain from 1853 to 1856.

MONTHS.	HEIGHT OF INSTRUMENTS ABOVE THE LEVEL OF THE SEA, 7168 FEET.								AVERAGE.	
	1853.		1854.		1855.		1856.		Mean temp. of day.	Rain.
	Mean temp. of day.	Rain.	Mean temp. of day.	Rain.	Mean temp. of day.	Rain.	Mean temp. of day.	Rain.		
January.....	36.79	1.85	45.85	.10	39.42	.10	40.99	1.78	40.76	.96
February...	47.23	.75	42.01	1.57	41.93	2.03	45.57	.00	44.18	1.09
March	52.83	.00	51.47	.40	49.36	2.94	52.84	1.38	51.62	1.18
April	57.74	1.00	53.83	5.10	52.58	5.76	56.41	1.15	55.14	3.25
May	61.35	2.07	59.73	5.68	58.70	11.65	58.00	1.18	59.44	5.14
June	64.34	26.90	62.96	40.57	60.88	21.21	61.37	45.95	62.34	33.40
July	65.26	29.49	65.81	18.55	62.24	21.76	62.53	34.77	64.03	26.14
August.....	64.13	31.26	65.41	40.91	61.97	26.54	61.69	37.61	63.30	34.03
September..	62.02	20.15	63.53	28.10	60.42	15.80	61.18	17.51	61.80	20.40
October	56.71	4.34	58.52	4.05	56.20	.02	59.18	15.90	57.65	6.03
November..	49.28	.37	49.47	2.10	49.52	.41				
December...	45.29	.00	45.14	.20	47.56	.00				
Means ..	55.24	9.85	55.29	12.28	53.39	90.2				

Lat... .. 27° 2' 53" N.
 Long 88° 18' 41" E.
 Mag. Var. 2° 30' E.

Correction for Corresponding Greenwich time. — + 5h. 53m. 14 $\frac{1}{2}$.

The soil is stiff red or yellow clay, with Gneiss rock lying under it, and in some places coming to the surface. Gneiss crumbled in the form of sand is met with in different parts of the hills. Where the jungle has not been cleared, there is a fine surface soil of vegetable mould, ranging from six to twelve inches in depth. This yields one or two fair crops; when however the vegetable soil is washed away by the rains, little is left but the primitive clay; with here and there the bald rock standing out. The only minerals at present found in the hills are copper, iron and manganese; they have not however, as yet, been found in sufficient quantities to remunerate the miner. Lime is found in the valleys.

The prevailing winds are E. to S. E., during the cold and dry season; and from S. to S. W. during the rains. It rarely blows from the north, the snowy range being a barrier to the wind in that quarter.

The Darjeeling territory abounds with the following timber, fruit and flowering trees and plants—Oaks. There are several species of the oak. Five are known as yielding good timber. The oak of the Himalaya cannot however compete with the sturdy British oak. The damp appears to deprive it of the strength and durability for which its English namesake is famous.—Chesnut. This is an excellent wood, and is used for building purposes. The nut is small and sweet.—Birch—two species.—Maple, two species. Sal.—This tree, which is one of the best Indian woods, grows abundantly in the neighbourhood of Punkabarria. It is also found on the other side of Darjeeling, near the Runjeet. Sissu—grows in the valleys of the Ballasun and Runjeet. Toon—grows to a large size in the lower districts. The Wild Mango—grows between Kursion and Punkabarria. The fruit is small and cylindrical in form, it has not much of the flavor of the mango of the plains. Rhododendron—white and red. The latter is found only at Darjeeling, the white is in great abundance lower down. It grows to a gigantic size, and flowers in April and May. The wood is white, light and durable. Walnut.—This is a very handsome wood and is used for furniture and house building. Champ,—a yellow cross-grained wood, excellent for ceiling, flooring, chimney pieces, and doors and windows. Magnolia—a large handsome tree, white flowered and highly scented, flowers in the spring, scenting the air with its fragrance. Lotus tree—a large handsome tree, flowers in the spring; it bears a profusion of large, lotus-like, pink flowers—when in full bloom this tree is really the Queen of the forest; it belongs to the genus Magnolia. Sycamore,—somewhat like the Plane tree. The wood is good. The natives use the leaves as a substitute for tea. Holly—this is a large handsome plant, and especially in the winter, when it is in full leaf, and its branches are covered with scarlet berries. There is a species of Olive, the fruit is as large

as a plum. The wood, though not durable, is used for door-posts and out buildings. Semul—well known in the plains for its cotton. It grows at an elevation of 3,500 feet. Figs,—two species, edible, they ripen in August. The Pimento tree bears a spicy berry, which has somewhat the flavor of strong orange peel—it is used medicinally by the natives. The Paper tree,—three species, the yellow, white and pink and scarlet flowered. The yellow flowered thrives at an elevation of about 5,000 feet. The paper made from this tree is coarse and dark coloured—the whitish pink is abundant; this thrives in a belt embracing 2,000 feet of elevation, that of Darjeeling, 7,257 feet, being the centre—it is the most abundant of the species. The scarlet flowered is found on higher elevations, such as the Sinchal. *Olea Fragrans* is abundant about Darjeeling, it is sweet scented and flowers in October. Firs are found near the Runjeet. Wild cherry is abundant below Darjeeling. The Barberry is indigenous to the district, the fruit is equal to British fruit, the wood is green and is used for dyeing purposes.

There is a yellow, durable wood, very offensive when fresh cut, called in "the Darjeeling Guide," Stink Wood. The Tea Plant.—This is not indigenous to the Darjeeling district. It was introduced by Dr. Campbell. A few healthy plants are found in the station, the seeds are large and well formed, the leaf is large and coarse. The elevation of Darjeeling is too high for the plant to be very productive; besides which it must suffer from the frost. Tea plants have been sown and raised on the lower slopes, at Tuqvar, to the north, by Captain Masson, at Kursion by S. Smith, Esq., and tea is now being raised at the Canning and Hope Town plantations by the Companies attached to those locations, by Mr. Martin on the Kursion flats, and by Capt. Samler, the agent of the Darjeeling Tea Concern, between Kursion and Pankabaria. There can we believe be little doubt but that the tea plant will thrive at an elevation of from 3,500 to 4,500 feet. The managers of Hope Town Tea Concern have been obliged to increase the number of shares, to meet the calls made upon them by parties interested in the project. This concern is indebted for its prosperity to the energy and skill of F. Brine and E. D'Cruz, Esqs. Should these tea plantations succeed, and we see no reason to doubt their success, they will be a great boon to the Darjeeling district, as well as highly remunerative to those concerned. With a view to encourage the growth of tea by the natives, the Government has placed at the disposal of the Acting Resident, Capt. James, several maunds of tea seed for distribution amongst the indigenous agriculturists. It is an experiment worth trying; but we doubt whether the erratic disposition of the Lepcha farmer will allow him to wait four years ere he realizes the fruit of his labours.

The coffee plant has been sown below Kursion, and gives promise of fruit. The soil and climate is favorable to the production of the plant, and if there be sun enough to ripen it thoroughly, there is good hope of success with coffee as well as with tea. We have seen and tasted tea grown near Darjeeling, which to our taste was more palatable than the produce of the Assam tea plantations.

There are five species of raspberries—three of tolerable flavor. They require cultivation to give them a higher flavor. Strawberries are grown by the residents; they are well flavored, a little more acid than the English fruit. They are nevertheless a great treat to those who have so few opportunities, in the plains, of tasting this queen of fruits. Apples, pears, and plums, have been introduced by the residents. They do not, however, arrive at perfection. The trees are healthy, and the fruit well formed, but they need sun to ripen them into the mellow flavor of the British fruits. Peaches are grown, but they are hard and bitterish to the taste. They, like the apple, require more sun than Darjeeling can afford. It is probable that these fruits of the Western world may arrive at greater perfection in the lower ranges, such as Kursion and other spots at the same elevation. Besides the trees mentioned, the Elder, Hydrangia, Bramble, Honeysuckle, Camelia, and the Ivy, and different kinds of climbing plants, are found in great abundance at different elevations. A wild purple grape grows on the lower slopes. It is a pleasant fruit, and makes a jelly with somewhat of the flavor of the English damson; if cultivated it would we think grow to a much larger size, and might probably produce a common kind of claret.

The Floral world is abundantly represented. Many common English wild flowers bring back to memory the hills and dales and shady nooks and lanes of the fatherland. The fox-glove, daisy and butter-cup, with others of the same order, greet the eye in the spring season. The daisy, though not indigenous, flourishes at Darjeeling. The English primrose is not found in the hills, but a plant with a palish pink flower, called the Sikkim primrose, is abundant in the neighbourhood. The English cabbage rose, imported, and others indigenous to the hills, attain to great perfection, one species of rose which flowers in the spring, deep crimson and well-scented, grows very profusely. Fuschias of two kinds grow to a large size. A large variety of flowers, including two or three varieties of violets, and indigenous to the hills, are continually developing their beauties and making the air aromatic with their fragrance. Ferns are found in rich variety, from the most minute of these feathery plants to the stately and graceful Fern tree. The bamboo is found in the valleys, and up to six thousand feet, in great variety; the dwarf species is abundant between

Darjeeling and Kursion. Some of the species grow to a large size, and as in the plains so in these hills, the bamboo is a most useful plant. It is used by the natives for almost every purpose. The water carrier makes his chungu out of the larger ones; and in the same form it is employed by the natives for carrying milk, butter and all similar produce. The leaves of the younger plants are used as food for horses and cattle. The Orchid race is largely represented—many beautiful species are found in the Darjeeling territory. They find a home on the large forest trees, and not unfrequently on their very topmost branches. In the depths of the forests they, with a number of the fern tribe, attached to huge trees and gracefully festooned by luxuriant climbers, give to the forests an elegant and refreshing appearance. Man, if he felt disposed, might well make some of these shaded forests, temples in which to worship Him who made them all.

The Darjeeling potato has earned for itself a name in India. It is well flavored, and when diligently cultivated, a good specimen of the root. It finds a ready market in the plains, and only needs care in the cultivation to become a general favorite. With a view to get the potato down to the plains early in the season, we apprehend it is often gathered before it is fully ripe. This gives it a darkish appearance, deprives it of some of its flavor, and often causes it to sprout. The seed transferred to the plains, the largest and best kinds being selected for seed, and the ground well manured, produces a larger potato than we generally find in the hills. The Darjeeling farmer should look to this. Murwah is extensively grown by the natives. This plant produces a small seed, which when fermented makes a drink which is most popular with the people of the hills. The seed is put into a chungu or bamboo bottle, hot water is poured into the bottle, and allowed to remain until the seed is well soaked, the liquor is drunk hot, through a reed or bamboo pipe. Murwah is an intoxicating drink. It forms a part of the daily rations of every native in the hills. It seems when taken as an ordinary drink to induce pleasantries; but like all intoxicating beverages, when taken in large quantities, it leads to drunkenness with its accompanying evils. The taste of Murwah is something like Sweet Wort, the juice of barley prepared for brewing purposes in England. Connoisseurs in Murwah, when they wish to make it more exciting, give it a spice of some pungent condiment.

Bhoota or Indian corn is extensively cultivated by the natives. It grows to a large size, and yields generally an excellent crop. It finds a ready sale in the hills. It is used as food for horses and cattle. The natives pound it and make from it a not over diges-

tible cake. The castor oil and pawn plants grow wild at Kursion and in other spots at the same elevation. Castor-Oil and Indigo might both be grown at Kursion and Punkabarria for seed. The produce would find a ready and remunerative sale in the plains. Munjeet and cotton both thrive in the Terai—the latter is being more extensively cultivated every year—the whole Terai if cleared might be made one vast cotton-growing country.

Darjeeling produces good specimens of both native and imported vegetables;—the latter, such as rhubarb, cabbages, peas and beans, are large and upon the whole well flavored. The rhubarb is especially good—the other vegetables have not quite the rich flavor which their home name-sakes possess: this in all probability is owing to the moisture of the atmosphere, and also to the fact that the land after a while requires to be well manured.

The native vegetables are not numerous; the mountain yam is a mealy well flavored vegetable. It grows to a large size, weighing often from one to two seers: the Kachu, a soft watery yam, a species of colocinth, ripens in the autumn. It is used by the Lepchas as a purgative.

There are also aromatic and medicinal plants, the virtues of which are as yet known almost only to the natives. Oils and essences have been extracted from some of the hill plants by amateurs; and may probably yield a profitable return to those who bestow more labour in the preparation of the extracts. Grasses of different species, and some of exquisite formation, are found at certain elevations. The indigenous grass is large and coarse, and does not appear to be very nutritious. English grass has been introduced. White clover imported is now no rarity. Some of the slopes in Darjeeling are, in the spring, covered with its sweet-scented flowers, giving the homestead of the residents the appearance of an English farm. Not a stem of red clover rears its head amongst the white, nor have the English primrose or cowslip found their way to Darjeeling.

Butterflies of every size, shape and hue, and moths small and gigantic roam about in this fairy region. Nothing can exceed the beauty of some of the butterfly tribe. Nature appears to have exhausted her skill in their formation and coloring. Nor are the moths less elaborate in formation, though not so pleasing to the eye. The Lepchas are great butterfly hunters. They sally forth with a muslin bag at the end of a bamboo, and give chase to these aerial beauties over brake and dell in the valleys of the Runjeet and Balasun, returning with their spoil for sale to the visitors at "the Bright Spot." The average price of these captured beauties, if taken promiscuously, is sixty for the rupee, and thirty or forty

if the choice ones are picked out. The butterfly hunters have of course their tales about some of their wards. One of them refers to the moth. They say that there is one species so large that the man who catches it is sure to die; no one however has seen this wonderful moth. It is a legend which has doubtless been handed down from generation to generation, a sort of bugbear with which to frighten the young and the timid. Sometimes a large and rare species of butterfly will realize a large price; we heard of one which was sold for twenty-two rupees. Beetles of singular forms and hues are also abundant in the territory.

In the valleys, birds of rich plumage are found in considerable variety. On the upper ranges, an occasional brace of black eagles may be seen soaring aloft, and a few birds of prey of smaller size are indigenous to the region. Song birds are not numerous at Darjeeling. The thrush discourses sweet music in the spring; the cuckoo, with its once familiar note, comes in April and May; and a species of blackbird hops about, but does not sing often; and a small blue canary chirps in the trees when the flowers begin to bud. Sparrows and crows are, as the Americans have it, sparse; they are not indigenous—they were introduced by Dr. Campbell. Pheasants of exquisite plumage are numerous; and partridges are found, but not in great abundance. Porcupines, bears, wolves and jackalls are indigenous, bears are numerous and sometimes commit great depredations on the Bhoota farms. There are other wild animals, and some of the feline genus beautifully marked.

Fish abounds in the rivers, but little of it reaches Darjeeling. The Maha-seer, and some small mountain-stream fish are brought to the station either from the Runjeet or the Balasun by the natives. Fish however is not abundant at "the Bright Spot." Fishing is by some pursued as a recreation at the Runjeet. Bees abound in the forests. Honey and bees' wax, gathered by the natives, are brought into the station for sale. The honey is of a rich flavor and congealed. The wax when clarified is of fine quality and finds a ready sale. It is brought in by the natives in cakes of a dark dirty color, and sold for a rupee a seer. Milk and butter are of the first quality and cheap. Twenty quart bottles of milk can be obtained for one rupee. From the milk bought at the door, people sometimes make their own butter. The process is simple and cheap. A preserve bottle is the churn, in which the cream, is well "shaken before taken" out as butter.

The cattle produce of the territory and its neighbourhood consists of the Sikkim and Nepal cow, ponies from Thibet and the plains, sheep, some indigenous, others imported from the plains,

and pigs. The cows are well formed, and about the size of good sized English cows. They do not equal the English cow in the quantity of milk they give; the quality is however good, and creams well. The cows feed in the jungle, and the milk has sometimes a taste of the aromatic plants on which they feed. The hill sheep is large boned, and when brought in by the natives is not over well fed. The beef and mutton has not the flavour, nor is it so tender, as that of the plains: but a good appetite, added to a few days' keep, makes it very palatable. Pigs appear to thrive in the hands of the caterers for the public appetite. The pork is well flavoured, and when cured makes excellent corned pork. The Darjeeling hams are not unlike the small Yorkshire hams, and when carefully cured, find a ready market in the plains. A good ham, of from eight to ten pounds, may be bought in Darjeeling for from three-eight to five rupees. Poultry is scarce; the supplies are generally brought up from the plains. Ghee is abundant in some parts of the hills; and especially in the Nepal district, it is of fine quality and of reasonable price. It might be turned to profitable account by the Darjeeling farmers.

Mineral springs have been found in the Darjeeling district. Two of these "medicine wells" have attracted attention. The first to which the notice of the residents was called is Menchu, or the "medicine water." This is situated in the valley of the Rungnoo, about six miles from the station. Its medicinal virtues had been long known to the natives. They had resorted to it for the cure of rheumatism, cutaneous and scrofulous diseases. Their mode of administering the water was twofold—the hot bath, this they prepared by damming up the water and throwing in hot stones: in addition to the bath they drank the water and cooked their food with it. The same plan has been adopted by their more civilized neighbours, and in some instances with considerable success. Cases have been cited in which considerable benefit has been derived from a residence at Menchu. The water has been sent to practical chemists in Calcutta, to be analysed and reported upon. As in almost all similar cases doctors have differed. The first report was to the effect that the Menchu water contained iron and sulphur and other medicinal substances in small proportions: the last report pronounced it only the very purest water: both reports however may be to a certain extent correct. Every thing will depend on the season when the water is procured. If it be obtained in the dry season its real properties will be developed; if in the rains, it must, from the porous nature of the soil, and the large and

constant fall of rain, be so diluted as to be little better than the ordinary water found in the mountain streams. One thing is clear, whatever the chemists may report, that some persons have derived considerable benefit from a residence at the springs. The natives, the children of nature who seldom err in these matters, have looked upon the Menchu spring as medicine water. Another spring has been discovered a short distance from Menchu, on which the resident medical men have reported favorably. Water from a third spring in the centre of the station has been sent to Calcutta and has been analysed. It contained a considerable portion of iron, a trace of sulphur, and carbonates considerable. This was the result of a rough analysis. There can be no doubt but the Darjeeling hills abound with similar springs, some of which may be probably more impregnated with medical virtues than those at present discovered—a better acquaintance with the country, and more patients benefited by the waters, will however soon set this, at present debateable, matter at rest: Chemists like Doctors are not always infallible, and one cure is better than a dozen theories.

The Resident is invested with almost supreme authority, in matters Judicial and Civil. An order in Council, dated 4th September 1839, contains the rules, twenty-one in number, for “regulating the assignment of locations and grants of land in the Hill Tract attached to the station of Darjeeling, and for the administration of the said Tract.” These rules, says the Report on Darjeeling, speak of the Superintendent “as the officer in Civil and Political charge at Darjeeling.” “The police and magisterial authority will be exercised by the officer in Civil and Political charge.” Rule 4 declares “The officer in Civil charge is vested with the power and authority of Civil Judge in respect to all claims, complaints and disputes that may arise, and be cognizable in the Civil Courts of the settlement, under the Acts and Regulations in force in the Bengal Presidency.” These were all the regulations originally given to the Superintendent for the government of a tract of country covered with dense jungle, and in which he had to administer Civil and Criminal Justice and Police, and to collect Revenue. Other instructions, principally suggested by Dr. Campbell, for the collection of revenue, have received the sanction of Government. The Acts and Regulations in force in Bengal, happily for the Darjeeling district, have never come into operation in the territory. With this simple code the territory of Darjeeling has, from a tract of jungle and forests, become a thriving country, an important Frontier Station.

The Revenue from land as given by the Report is as follows :—

Total Jumma of Morung	30 761
Deduct cost of Collection	3,034
Remainder	27,727
Total Jumma of new Hill Territory, no cost of Collection	140
Total Jumma of Hill Territory appropriated to local purposes, no cost of Collection	6,025
Total Jumma of Darjeeling Territory.....	36,926
Total cost of Collection, 8 per cent.....	3,034
Net Income	Rs. 33,892

“ The income of the Hill Territory, Rs. 6,025, is appropriated to local purposes by order of Government. The income of the territory in the hills and in the Morung, according to the new settlement, is Rs. 27,867, this is the clear revenue derived from the district by the state and available as income.”

The following statement of the Receipts and Expenditure connected with the Treasury, for the whole territory, will serve to show what a change has been wrought in this once jungly and unproductive district :—

In 1852-53.

<i>Receipts.</i>		<i>Disbursements.</i>	
Cash for Drafts issued ...	1,23,210	Executive Department }	37,217
Ditto for Land Revenue .	26,773	Assignments	
Ditto for Abkaree	2,228	Post Office.....	8,032
Ditto for Post Office	10,253	Drafts Revenue and Mi-	
Ditto for Fines	558	litary Department ... }	1,62,055
Remittances from other }		Audited Bills	74,362
Treasuries	1,54,000	Pension	8,000
Stamps	621	Interest on Loan Accounts	1,253
Miscellaneous	19,581	Miscellaneous	26,259
Total Rs....	3,37,226	Total Rs....	3,17,180

The number of civil suits decided during five years, according to the Report, was five hundred and one; or an average of one hundred suits a year. The number of criminal cases decided during the same period was one thousand four hundred and twenty-two. The number of prisoners sent up for trial in 1852, was four hundred and fifty-one,—convicted, one hundred and seventy-nine,—acquitted, two hundred and seventy-two. The

report estimates the entire population of the district at ten thousand. The entire income derived from the territory is estimated by the same authority at fifty thousand rupees.

The following statistics will show the state of crime amongst the natives and the nature of the crimes to which the people are addicted. In 1852, there were petty affrays 57, abductions 37, false imprisonment 8, assaults with wounding 5, child stealing 1, burglary, aggravated, 4, cattle stealing 22, thefts 60, plunder of houses 4. Not a solitary case of murder occurs in the list, and the graver offences against the laws are comparatively few.

The vigilance of the police must exceed that of the plains if the following statistics of property stolen and recovered be a standard by which we may judge:—

Value of Property stolen.	Value of Property recovered.
1850..... 3,045	2,096
1851..... 2,460	1,237
1852..... 2,219	329

It is a singular and strange fact that the language in which the official business of the Court is transacted is Bengali, and this in a Court where the bulk of the people are almost as ignorant of that dialect as they are of the language of Timbuctoo. This, at least, whatever else may not need it, requires reform.

We have referred to trade with the neighbouring countries, and especially with Thibet—the people of Thibet are believed to be well disposed towards the British Government. The Chinese Government, with whom rests the appointment of the officials at Lassa, is not favorable to free trade with outside barbarians, and has done all in its power to prevent intercourse between the two countries. Previous to the disruption with Sikkim, through which country the high road to Lassa passes, the influence of the Chinese Government in Thibet had been much weakened. The value of the imports from Lassa to Darjeeling by this route was estimated at 50,000 Rs. annually. On the high road from “the Bright Spot” to Lassa are two large towns, Phari with a population of 4,000, and Geanchee Shubur with a population of 20,000.

The imports from Thibet consist of salt, gold, silver, precious stones, and coarse woollen stuffs. The principal import is wool. The flocks of Thibet are very numerous, and the wool is of the

finest quality. It is as fine as Merino with a much longer staple. The Report treating on this subject says :—

“The fineness of this wool is attributed to the same cause as that of the merino; the fine and succulent short pasture of the Thibet hills, while the cold climate has the usual effect on the fleece of supplying that peculiar quality which is found in the shawl wool of the Thibet goats. The high plains on which these numerous flocks feed are of immense extent, and if the importation of the article could be facilitated, it would become a source of profit to our speculators and manufacturers, and of riches and civilization to the Steppes of Thibet, which have been hitherto excluded from all possibility of improvement by the rigid application of the exclusive policy of the Chinese. The nearest road to Lassa from the British Territory lies through Darjeeling by the Choombi Valley, and the towns of Phari and Geanchee Shubur already mentioned, as forming the present line of traffic: the distance about 500 miles, of which 70 miles in Sikim as far as Choombi. The Thibetan institutions are such as to admit, without difficulty, of the establishment of a consul of a foreign nation at Lassa for the protection and control of the foreigners carrying on trade there. I am informed that Lassa is visited by people of all the neighbouring nations as merchants. The merchants of each nation appoint their own consul as the medium of communication with the Thibet Government, and to settle their own disputes without reference to the Government of their own country. The Nimals of Nepal, the Cashmerees, the Ladakees, and the people of Bootan have all headmen or consuls of these descriptions in Lassa, as well as other States lying between China and Thibet. If, therefore, the traffic of Thibet could be extended by improvement of the communication, it would be easy to effect a commercial establishment in Lassa, if the opposition of the Chinese power, now so much on the wane, could be once got over.”

The Lassa merchants are about a month on the journey from that place to “the Bright Spot.” The traffic between the two countries shows how important it is for the British Government to obtain, once more, a free passage through the Sikkim country.

It is but natural that we should briefly touch on the diseases prevalent in the Darjeeling territory. The following medical statistics for eight years in connection with the convalescent Depot give a succinct and clear view on this subject in connection with European ailments :—

Table showing the Strength of the Depot, Mortality, &c., since its formation in 1848.

YEARS.	Strength.			Deaths.			Invalided.				Proportion of Deaths to Strength.	Percentage of Deaths to Strength.	Average Strength during each year.	Diseases of those men who have died during each year.										Total number of Deaths during each year.			
	Officers.	Men.	Women.	Children.	Officers.	Men.	Women.	Children.	Officers.	Men.				Women.	Children.	Anasarca.	Bronchitis.	Cynanche Tonsill.	Diarrhoea.	Dysentery.	Febris Remittent.	Hepatitis Ch.	Hematemesis.		Phthisis Pul.	Paratyph.	Syphilis Con.
From 1st April 1848 to the 1st April 1849	3	43	3	2	...	6	...	...	1	...	...	...	6 to 71½	8.32	71	...	...	...	2	...	2	...	...	...	2	6	
Ditto Ditto 1849	3	73	5	4	...	8	...	...	...	...	...	...	8 to 85	9.35	56.84	1	...	...	...	1	...	...	...	...	8		
Ditto Ditto 1850	5	107	8	7	...	2	...	...	...	...	...	...	2 to 127	1.73	70.88	...	...	...	...	...	...	...	...	...	2		
Ditto Ditto 1851	4	96	21	24	...	6	...	...	...	...	...	...	6 to 145	4.20	108.72	1	1	1	...	...	2	...	...	...	6		
Ditto Ditto 1852	3	72	2	...	...	1	...	...	1	...	...	...	1 to 77	1.27	75.20	...	...	...	1	...	...	...	...	...	1		
Ditto Ditto 1853	8	136	4	5	...	6	...	...	6	...	...	...	6 to 153	2.38	77.86	...	...	2	1	1	...	1	...	...	6		
Ditto Ditto 1854	5	74	4	8	...	1	...	...	12	...	...	...	1 to 91	1.09	72.9	...	...	1	...	...	...	...	...	...	1		
Ditto Ditto 1855	4	68	3	7	...	1	...	...	12	...	...	...	1 to 82	1.18	68.2	...	...	...	...	...	...	...	...	...	1		

The following table shows the rate of mortality amongst the native prisoners in the Darjeeling jail, and also amongst the Sebundy Corps during the years 1853 to 1856 :—

Prisoners in the Jail.

1853.	1854.	1855.	1856.
3 Deaths occurred. 2 By Dysentery Chro. 1 By Diarrhoea.	1 Death occurred. By Febris Quodn. Intermittent.	6 Deaths occurred. 1 By Febris Tertian. 2 " " Remittens. 2 " Dysentery Acute. 1 " " Chron. 1 " Coma. 1 " Cachexia Syphiloides.	1 Death occurred. By Diarrhoea in September last.
Average daily } strength ... } 38.11	Average daily } strength ... } 37.01	Average daily strength .. 45.65	
Average daily } of sick } 6.2	Average daily } of sick } 6.52	" " of sick .. 6.65	

Sebundy Corps of Sappers.

1853.	1854.	1855.	1856.
3 Deaths occurred by Variola.	1 Death occurred by Splentitis.	1 Death occurred by Enteritis.	No Death.
Average daily } strength } 210	Average daily } strength } 209	Average daily strength 209	
Average daily } of sick } 3.01	Average daily } of sick } 5.7	Average daily of sick 5.31	

The natives are subject to slight fever, dysentery, rheumatism, small pox, and other diseases common to genial but humid climates. Darjeeling is not the best climate for pulmonary complaints; nor is it a desirable residence for persons at all affected with rheumatic affections, or indeed for any troubled with complaints to which humidity is an ally. The effect of the climate on the majority of constitutions is in the highest degree favorable. A very brief residence enables the invalid visitor to shake off his weakness and his ennui. He becomes buoyant and cheerful; new life is sent through his veins like magic. The residents generally are pictures of robust health. For some constitutions it is better adapted than the colder climate of Britain. In cases however of complete prostration we believe that the Darjeeling hills will not supply the place of the bracing and invigorating climate of Europe. It would at least require as long a residence in the hills as it would in Europe, in which case we suspect the majority of invalids would prefer Europe, with its home associations, advantages and excitement. Man is so constituted that he needs something more than climate to

restore him mentally and physically after a long and weary residence in the wasting plains of India. For an agreeable and invigorating change to persons weary of the plains, or to those on whom disease has not fastened his chronic hand, we can think of no better spot than Darjeeling, while for old Indians who intend to make the East their home, or for enterprising people with agricultural tendencies, the Darjeeling hills offer a prospect than which nothing can be more pleasant or hopeful.

For children Darjeeling is indeed "the Bright Spot." Its climate is really the children's friend. If blooming, rosy faces, healthy bodies and buoyant spirits be a boon to the young, they have them all in Darjeeling. We doubt whether any English village could produce such a fine show of robust and healthy children as the station can display. It is quite a treat, after being familiar with the pale faced little ones of the plains, to meet the joyous, merry-faced urchins in the hills. Their faces vie in colour with the blushing roses of their own fair gardens. In proof of the adaptation of the hills to the constitutions of children, we may mention that the Roman Catholic Nunnery has been established upwards of ten years; during that period but little serious sickness has visited the pupils, and not one death has occurred within its walls. The pupils are all from the plains, and generally are sent up in a weak and sickly state.

The religious condition of the hill tribes has not been overlooked by Christian philanthropy. The Rev. W. Start, a truly good man, who has been the means of introducing several excellent Missionaries into the field of Missions in North India, while on a visit some years back, resolved on establishing a Mission at Darjeeling. His chief object was the conversion of the Lepchas.

Mr. Start brought out from Europe a small staff of German artisan Missionaries, and located them in Darjeeling and its immediate neighbourhood. His idea was that the Missionaries should after a time support themselves by engaging in agricultural and other secular pursuits. The plan, from causes which we need not discuss, did not answer, and the Mission now consists of one Missionary, who labours chiefly amongst the Lepchas.

There was in former years a school connected with the Mission for Lepcha children. It is at present discontinued. A Grammar of the Lepcha dialect has been compiled by Mr. Neible the Missionary: portions of the Holy Scriptures have been translated into the Lepcha tongue, and a few smaller publications have been published and distributed amongst the people. In addition to Missionary labours Mr. Start preached for some years, and before a chaplain was appointed to the station, to the Christian popula-

tion, in a chapel built at his own cost, and free of all charge to the people. This is the only attempt which has been made to propagate the knowledge of the Gospel amongst the hill tribes.

We think as a centre of influence for Christian missions Darjeeling is a station of importance, and ought not to be lost sight of by the Christian Church.

The people resident in the Darjeeling territory are the Mechis, the Lepchas, the Nepalese and the Bhootas. There are a few other mountaineers scattered here and there in the district, such as the Garrows, the Dimals and Lharrahs. Their neighbours are the Limboos, Murmis, Haioos and Kerautis. The first named tribes however form the staple of the population of the Darjeeling hills.

The *Mechis* inhabit the Terai district. They are seldom if ever found at an elevation higher than one thousand feet. Their cast of countenance is Mongolian, accompanied by a squalid softness of outline, which distinguishes them from some other of the mountain tribes of Mongolian origin. They are migratory in their habits. Though living in the Terai, which is so fatal to strangers, they are generally healthy. Their chief occupation is clearing the Terai: on the clearances they cultivate cotton and rice, and graze buffaloes. Of religion they have but a very slender knowledge. The little they have is of the Shivite form of Hinduism. The Brahmins have no influence over them, and they have no *Gurus*: priests they have none, nor have they any temples: they perform no *Shradh*. They bury their dead in some convenient part of the jungles. Their funeral obsequies consist in feasting and placing food on the graves of the dead. They are a dirty and easy living race, and rank very low in the scale of human society. They have no caste, eat fowls, buffaloes, cows, and the carrion of all animals, the elephant excepted. They have too much respect for the *hati* to serve him up as food. Their marriages are contracted at an early period of life and at convenience. The men purchase their wives, at prices varying from ten to sixteen rupees. If the bridegroom cannot pay for the bride in cash, he works for her parents until he has earned his prize. Beauty is the standard by which the price is regulated. The women, besides attending to the household duties, take their full share with the men, in the labours of the field. The Mechi language has no written character. It is doubtful whether it is of Thibetan or Burmese extraction, or whether it has a common origin with that of the Coles and other aboriginal wild tribes of India. The probability is that it is a compound of different dialects.

The *Lepchas* are the aborigines of the Darjeeling hills. They are divided into two races, the "Rong" and the "Khamba." They have a written language but no history, legends, literature,

books or manuscripts. They appear to have little if any tradition as to their origin or how they came into the hills. The only tradition which we could gather was that they came from a neighbouring district, and that their ancestors came from the top of one of the mountains—a faint tradition of the story of the flood. They are evidently of Mongolian origin.

Their expression of countenance is, when young, pleasing. It is soft and feminine. They are a cheerful, apparently contented people, with few wants and little or no anxiety; and as dirty in their persons and habits as a people can well be. They are migratory and very erratic in their mode of living, seldom continuing more than three years on one location. Some of them take service in the families of the residents and visitors, but they are seldom be depended upon. Love of change is so inherent in their nature that they will flit in a night without rhyme or reason from one family to another. Their occupation is chiefly as chair bearers or house servants, they will not work as coolies. The religion of the Lepchas, such as it is, is in form Buddhist. They appear, however, to give themselves but little trouble on religious matters—they are evidently timid and superstitious, fear their priests and evil spirits. Their concern religiously is evidently to avert evil. "If God be good" they say "he will not harm us, and why should we trouble him, our business should be to avert evil." We were informed by one well able to offer an opinion on the subject, that they have no word in the language to express the idea of the Supreme being: they only refer to some attribute of God, and not to God himself.

The dress of the Lepcha is graceful, it is quite an oriental Highland costume—their food is coarse and their cooking not over-delicate. The women labour as much if not more than the men: they, unlike the majority of oriental women, walk abroad as do the women of the western world. Every Lepcha carries a formidable knife in his belt. It is used for every purpose, from cutting a potatoe to clearing the jungle. In the hands of a Lepcha it is a powerful weapon. Marriages are contracted in mature life: the bride is purchased. Previously to marriage the women are not strictly bound to chastity, after marriage it is rigidly enforced. The Lepchas bury their dead; they have a great dread of death; they are a healthy race, and notwithstanding their dirty habits are remarkably free from the ills which flesh is heir to. They have little taste for music, and unlike most mountain tribes have but few musical instruments. Their singing is a sort of low chant, and not at all ungrateful in their mountain solitude. They have no towns and but few villages. They often perch one or two houses on the brow of a hill or some cleared spot, where at night its fire light shines like

a dim star. The Lepcha is fond of a forest life. In excursions into the interior he is an excellent companion and a good servant. He is then in his element and appears to be quite in his glory. They are an intelligent race and display a good deal of curiosity about things beyond their ken. We once had occasion to spend a few days in the house of a Lepcha Subah or chieftain, and had good opportunities of forming a fair estimate of their domestic character. It was modest, cheerful, courteous, and inquisitive. It was, however, indolent and not over-marked by cleanliness. If the Lepchas could be brought under the influence of Christianity, we incline to think they would be a very interesting and hopeful race.

They have some imagination, and often use in ordinary conversation striking figures: they say, referring to the leaves of the trees on which they eat their food, "we have plates of gold in the morning and plates of silver in the evening."

The *Bhooteas* are unmistakeably of Mongolian origin and Buddhist in religion. They are a more athletic race than the Lepchas. They are a taller, more robust and sterner clan than any in the hills; they are equally if not more dirty than the Lepchas. They are not so amiable or cheerful as their neighbours. They have more of the Chinese nature in them; they are cunning and great cheats, are fond of strong waters, and when under their influence not over amiable. They are the coolies of the hills, and can carry very heavy burdens. Some of the men will carry four maunds, a distance of thirty miles up the hill. The women are also very strong, the old women may be seen toiling up the hill with not very light burdens.

The *Nepalese* are a light and nimble people: they come as agricultural and industrial labourers from the Nepal country. They have a pleasing expression of countenance and are a laborious race: their pay is two annas a day, the day reckoning from seven in the morning till five in the evening. They are in religion Hindus. They are not strictly speaking residents; they come for a while and then return to their homes, to visit their families, who by the laws of Nepal are not allowed to accompany them across the border. Such is Darjeeling, its territory and its people.

In a military point of view it is important. It is an outpost from which the Nepalese and the less numerous and diversified tribes which people the mountains and valleys to the north and east may be watched and held in check. To do this efficiently, should necessity require it, the station must have a stronger military force than it has at present: one hundred and eighty native sappers, with two or three small guns, and one hundred European invalids could do little to protect the territory should occasion arise for de-

fence, much less could such a force attempt anything in the shape of conquest, should it be deemed necessary to strengthen our position on our North Eastern frontier. Happily, however, with the exception of the Nepalese, there is nothing to fear from the neighbouring tribes, and but little if any temptation to make conquest,—except it be the conquest of civilization—in a country so vast in extent, so scantily populated, and with so little to repay the expense of life and property, which invasion must entail.

As a Sanatorium Darjeeling must, so far as Bengal and Behar are concerned, ever hold a very high place. It is the only place, save the broad blue sea, to which the weary and jaded invalid of the plains can look, in this neighbourhood, for renewed health and re-invigorated spirits. Notwithstanding the exceptions we have taken to Darjeeling, we believe it is the greatest boon to the people of the plains which a wise and kind Providence has placed at their disposal; and we only wish that the approaches to it were such as to place it within the reach of all classes of the community. A few years and the railway and a new road now in course of construction through Purneah will not only diminish the distance but lessen the expense of a trip to Darjeeling. When these arrangements have been completed, the resident in Calcutta will be able to reach Darjeeling within a week by easy and pleasant stages, and at a reasonable cost.

As a field for emigration and settlement we look upon the Darjeeling territory with hope. If one of the finest climates in the world, and a country capable of producing the staples which the Darjeeling district has already developed, be at all indicative of success, we think that it affords hope of much better and greater things. Every man who has settled in these hills, with the determination to succeed, has prospered, and there is nothing to prevent the course they have pursued being pursued by many more. We do not say that immense fortunes could be realized in the Darjeeling hills, but of this we are assured that prosperous and happy homesteads, and fair remuneration for honest industry, might be realized. Thriving and healthy families might be reared at comparatively little cost, while in the distance would loom for such families a good, healthful and peaceful homes.

The effect of such emigration on the territory would be only for good. Its resources would be more fully developed, and its traffic largely increased, and instead of untilled valleys, and jungle-covered mountains would spring up on every hand and as far as the eye could reach, small prosperous settlements of an industrious and happy people; the best safeguard of the frontier, and the best gift which civilization and religion could confer on the now wandering and ignorant tribes which people

the countries immediately contiguous. Darjeeling answers a great and good object as a Sanatorium. This however ought to be but the precursor to a far nobler object: such a country, we believe, has been cast in our way for a far higher purpose than that of securing health or recreation for the sick and the weary of the scorching plains of India.

As a field of Missions, the Darjeeling territory should not be lost sight of by those who are interested in the diffusion of Christianity in the east, and especially on our North Eastern Frontier. Attempts have been made in this direction, and though they have not been attended with the success which could have been desired, this is no reason why a more matured and determined effort should not be made to diffuse the knowledge of the Christian faith over this wide and interesting field. Here we have a country bordering on Thibet, and within a month's journey of Lassa its capital on the one hand, and on the other stretching away to the east to the very borders of Burmah and China, with Darjeeling, a most healthy spot, as a centre, from which the rays of Christianity and of civilization might be sent forth to cheer and guide those who sit in darkness and in the shadow of spiritual death. The door is wide; who will enter in and possess the land for Him who is destined to be Lord of all?

With reference to this subject, we may be permitted to remark, that it does not appear to us that the Moravian, or Industrial system of missions will succeed here, or in any part of India. Europeans cannot gain a livelihood as tradesmen in competition with natives, to whom six pence is not merely "a fair day's wages for a fair day's work," but a very large return for it. It is true that a European will do more in a day than a native; but even if he could do double, and earn eight annas, or a shilling, a day, he could not live on that; indeed that would be but a small contribution towards the defraying of his expenses. But we cannot doubt that openings would be found for introducing the Gospel among the natives by preaching, and by means of schools of a humble character, in which elementary education might be given in combination with Christian truth.

With reference to the statement in page 357 of the last number of this *Review* (December 1856,) we are requested to inform our readers that Mr. Seton-Karr is not the author of an article in Blackwood's Magazine on the Indian Civil Service, and that his sentiments on this subject are widely different from those of the writer in that periodical.

MISCELLANEOUS NOTICES.

Sources of the Roman Civil Law, an introduction to the Institutes of Justinian, by William Grapel, Esq., M. A., of Lincoln's Inn, Barrister-at-Law, Professor of Jurisprudence, and of English Literature in the Presidency College, Calcutta. Calcutta, R. C. Lepage and Co., 1857.

WE had occasion some time ago to notice Mr. Grapel's translation of the Institutes of Justinian. We looked on it as valuable, not so much in itself, as with reference to the hope that it held out, that the Law Classes in the Presidency College would be well conducted, and that the principles that would guide the Professor, and the spirit that would be infused into the students, would be entirely in favour of philosophical accuracy in detail, and of that higher education which seeks not to cram but to discipline. While there may well be doubts as to the wisdom of the establishment of the Presidency College, to provide, at the expense of the State, an elementary education for those who are able to pay for it themselves while for those who are unable to pay, no provision is made,—any opinions that may be held as to the injustice and uselessness of its being continued as a whole, cannot apply to its Law Faculty. There instruction may and must be communicated, such as can be procured nowhere else. While then we should like to see the grant for educational purposes directed into its proper channel—to benefit the ignorant millions of India, there ought also to be endowed lectureships, open to students of every class, creed and colour, and commanding by the talents of the men who fill them, and the appliances by which they are surrounded, the respect and confidence of all.

We must confess to somewhat of disappointment on first perusing the book before us. As an independent work, displaying original or native learning and scholarship, on a subject of surpassing interest and importance, it will disappoint all. But viewed, as the author from his preface evidently intends that it should be, as an *introduction* to a wider subject, as lectures read before youths whose classical acquirements, if they exist at all, must be of the most meagre kind, the work seems well fitted to accomplish its end. We hail with satisfaction every man, who in educating can strike the proper medium between erudite scholarship, far removed above the comprehension of his students, and a purely utilitarian course which results in ignorance of all but the mechanical, in superficial and therefore useless knowledge, in vanity and conceit. How few educationists have struck this happy mean! How few have been found to

MARCH 1857.

α

raise their voice intelligently in behalf of the higher education. We look upon this work, unimportant as it may seem to the scholar, and useless to the men with mechanical brains, as an aid towards this end. The author in his preface well says :—

“It is futile to brand as unreal, or of secondary worth, studies which have ever ranked so high in every Continental Scheme of Education ; studies which, from the day when Theobald first brought Vacarius to Oxford, have never ceased to be followed in our own great Universities. It is worse than futile to carp at as unpractical, and a real hindrance, that which has been deliberately revived by the several Inns of Court in England ; and which, as well by those to whom has been entrusted the power of admission to the Bar, as by a Committee of our greatest living Jurists, has been declared a necessary element in the training of every Student of the Law.”

To mere laymen, who have a horror at what are called the technicalities and endless repetitions of ‘dry’ law, it has an aspect full of interest and importance, and perhaps the primary benefit to be gained by Indian students from such a course as was chalked out by the Royal Law Commission, appointed in 1854, will be found in its first branch. This consists of

- (a) Constitutional Law and Legal History.
- (b) Jurisprudence.
- (c) The Roman Civil Law.

It is in these that we see Law divested of the artificialities of man’s invention and the dust of ages, standing alone in all her own glory and power, and teaching lessons of highest wisdom, and principles of widest application. She embraces history and ethics under her shadow, and combines with them in giving men a key to the past, which has unlocked many of its repositories, and unveiled many of its most secret recesses. Neibuhr must be viewed as the father of the modern philosophy of history, not merely because he brought a rare common sense and statesman-like skill to bear upon its sources and early myths, but because he used Law as a key to many of its greatest difficulties and obscurities. Since his day we have had the Schlegels and Thirlwall, Schmitz and Hare, Arnold and Macaulay, Grote, George Long and Merivale, and a host of lesser writers, so that now the spirit has been caught, and history has been written with a skill and a power which we shall search for in vain before the 19th century. Law and Literature have thus combined to elevate history to a position that she never enjoyed before. We must ascribe it to the decline of philosophical tastes and studies in modern times that so little has been done for Law by Ethics since the days of Grotius and Puffendorf. The following extract is worth remembering :—

“But besides being, what no modern System can be, an unshifting standard of comparison, the Roman Civil Law has a special worth and meaning of its own. The term, when used aright, implies not alone the Municipal Law of the Empire, with its several modifications in old times and in new ; but includes a handling of the great questions of Morals, and of Polity. Ethics, on the one side, bounds its province ; and, on the other, such History as serves to shew the

working of its principles. It rises, so to say, to the unseen from the seen ; and is the one System which both craves and furnishes, that union of metaphysical and of historical knowledge, in lack of which, says Bolingbroke, none may deserve the name of Lawyer. " I might instance," writes that splendid declaimer,* " in other Professions, the obligation men lie under of applying themselves to certain parts of History ; and I can hardly forbear doing it in that of the Law, in its nature the noblest and most beneficial to mankind, in its abuse and debasement the most sordid and the most pernicious. A Lawyer now is nothing more, (I speak of ninety-nine in an hundred at least), to use Tully's words, ' Nisi leguleius quidam cautus et acutus. præco actionum, cantor formularum, aniceps syllabarum.' But there have been Lawyers that were Orators, Philosophers, Historians. There have been Bacons and Clarendons. There will be none such any more, till, in some better age, true ambition, or the love of fame, prevails over avarice, and till men find leisure and encouragement to prepare themselves for the exercise of their profession by climbing to the ' vantage ground,' so my Lord Bacon calls it, of science, instead of grovelling all their lives below in a mean but gainful application to all the little arts of chicane. Till this happens the Profession of the Law will scarce deserve to be ranked among the learned Professions, and whenever it happens, one of the vantage grounds to which men must climb is metaphysical and historical knowledge."

Viewing the Law Faculty on its practical side, anything will be welcome that gives us not merely intelligent but honest men to sit in the judgment-seat, and, as magistrates or judges, to be of immense influence for the weal of India. While we feel that honesty and all the common virtues may be produced by, and are the legitimate effects of, the higher education, we desiderate in our Government Colleges that high spirit of positive and aggressive virtue which will make itself felt among the students, and which can be the result only of a positive and aggressive Christianity.

The Annals of Indian Administration. Edited by Meredith Townsend, Part I. Serampore, 1856.

WE have in this work a specimen of Literature in a new form—new not only to India, but to a great extent, to England also. The idea of this compilation was taken, as the Editor informs us in his introductory notice, from a plan recently made known to the public by Mr. Leone Levi, in which he proposed to condense the voluminous Blue Books published by the British Government, not so much by even a skilful abridgement, as by a careful analysis and judicious abstract of their contents. However repulsive to the general reader, and even to the busy man of learning and politics, a Blue-book may seem, there can be no doubt that when presented in this shape, it will be valued and hailed as a boon.

At first sight it may seem an easy matter thus to compile an abstract. It may seem to be work fit for a mere literary hack, whose

* Letters on History ; No. 5.

modicum of brain is at the call of any man that may choose to pay him sufficiently for the use of it. Were the results of the labours of either Leone Levi or Mr. Townsend to be of such a character as this, we might afford to despise both the compilers and the amount of literary skill, or mental power manifested in these works. But the object proposed here is no mere index-making; no mere mechanical abridging. We hesitate not to say that the man who can quietly sit down and reduce the vast array of matters of which such Blue-books or Government Reports are composed, to order, intelligibility, and relative harmony, who can with quick eye discover what is important, and with wise judgment reject what is useless or contradictory, who can find out a link that is wanting in the chain of narration or evidence, and present a story at once true and interesting, instead of a rambling detail at once contradictory and stupid, who can above all weigh the value of facts, and make up for the great defect of most official Englishmen, disregard of the style and Grammar of their own language,—we say that the man who can do this, and do it well, manifests a high order of intelligence and literary power. That Mr. Townsend has manifested all these powers in no small degree, will be at once acknowledged by every reader of these ‘Annals.’

But such a work as this must be looked at from another point of view. Whenever such powers of mind are exercised, the results must be valuable in themselves, and when exercised on subjects on which hangs the government of a mighty empire, they must be doubly so. By referring to such a work, every fact of importance may at once be found, and found in its proper place with reference to other facts: a perfect picture of the history of the empire is here presented for three months, accurate and truthful, because based on official statements,—valuable and important, because sketched by the hand of a master, who loves his work and labors to make himself perfect in it. These ‘Annals’ will serve as the depository to which future historians of India will turn. Newspaper reports and articles are too often disfigured by the pettinesses and prejudices of the hour; and triumph, not truth, is sought for. But here all is calm and philosophical, not a ray of feeling streams through the whole, while philosophical principles are everywhere manifested. These ‘Annals’ moreover will save from destruction all that is valuable in these official documents, the heaping up of which the peculiar mode of doing business in India renders necessary, and under the weight of which whole Government godowns are groaning, and will groan till relieved by decay and the white ants.

Any extract from the work itself will give but a poor idea of its nature and value. On Education the following is interesting:—

“On 31st March, 1856, Mr. C. J. Erskine, Director of Public Instruction, submits five reports on the Examination of Elphinstone College. Mr. Erskine mentions the documents, and observes that the Examiners have performed an ungracious task with much care, but that allowances must be made for the want of books and apparatus, the scanty establishment of Europeans, and the want of power in

the Professors to prevent paying students from passing up through the different classes without any examination at all. Mr. Erskine considers the estimates less favourable than those of former years. Attention is drawn especially to the want of thoroughness. The Examiner in English Literature was much disappointed. He had heard that the students might contend with Collegiate students in England. He was obliged to lower his standard of examination, and would if again called upon, set even simpler papers. The lads are not equal to English students. They have merits, and make great progress in some branches, but have no opportunity of literary study, few books, and no masterpieces in a complete form set before them. The Examiner thought it indiscreet to encourage the young men to study our great writers at present. That is a large question, but Mr. Erskine feels that much more time must be devoted to elementary teaching. The Principal will propose the details of this scheme. The students are specially deficient in English Composition, which must be attended to more sedulously. The students rely little on their own thought and observation. This evil must be met in the lower schools. "Boys must there be taught how to observe, how to delineate and describe what they have observed, and how to exercise their minds on common things." The prevalence of bad Spelling, bad Grammar and bad Penmanship have been often pointed out by the Professors. They indicate the necessity for more European teachers. If the merits of the native teachers are recognized, their own good sense will see the propriety of English being taught by a native of England. There has grown up among the students a habit of plagiarism. The Principal has animadverted on this before, and will animadvert on it again. Government will not however overlook the testimonies to proficiency, especially in "some portions of history and some branches of mathematical, economical, and moral science." Mr. Erskine would be glad to adopt Captain Rivers' suggestion as to College Tutors. He only hesitates to recommend an increase in the Vernacular Department from a hope that English study may first be arranged. He sincerely trusts the change to independent Examiners will not discourage the students. The number of scholarships on this occasion is limited. Mr. Erskine was doubtful if they should be so, the scholarships being given not only as the rewards of successful study but as inducements to further effort. The minimum number of marks, however, had not been reached. It is unfortunate that the negotiations in England for three new Professors and a Headmaster for the School Department have been delayed.

Major G. Pope on 28th January reports the result of his examination of the Vernacular Department. The students to be examined were the candidates for admission, and the 1st and 2nd year lads. The students generally "have not acquired the power of expressing themselves with facility and correctness in their several vernacular languages when translating from English; nor of rendering those languages into correct and idiomatic English." The students rather lose ground than otherwise after they pass into the College. The second year class failed in translating the English passage selected, (from an Essay by A. Helps) only two came at all near, and their translations deserved no marks. The passage was not easy. An easier one was given. There were some tolerable translations of this. The Murathee were better than the Guzeratee students. This arises from the more fixed character of the former language. The students in the same class were singularly unequal, owing to rules of admission, "on which" it was not Major Pope's "duty to remark." More time should be devoted to the study, as there is a tendency to neglect the vernaculars. Major Pope adds a table of the examinations. The number of marks was ninety, 30 for viva voce examination, 30 for each of the translations. Of the candidates the highest obtained 18 for translations into the Vernacular. 26 for those from the vernacular, and 18 for the viva voce examination. All obtained some marks for translation into the vernacular, and for the viva voce examination, but 18 obtained none for translations from the vernacular. Of the first year's students only four out of 34 obtained any marks for translation out of the vernacular, and of the 2nd year students four failed utterly in the same branch.

Captain H. Rivers on 1st February, 1856, reports the result of his examination in Arithmetic and Mathematics. He found the students "quick in Arithmetic, well acquainted with Algebra, and the six books of Euclid: but while knowing the Rules, they did not seem so well grounded in Plane Trigonometry or Analytical Geometry as he could have wished, nor always to understand the meanings of the terms or the real nature of the magnitudes discussed."

The first year class answered questions in the theory of Numbers, Logarithms, and Equations, and the Rules for the Solution of Spherical Triangles, but a simple question given to elicit their ideas of the nature of a ratio was not answered correctly by one-third of the class. The second year's students answered in Conic Sections, Hydrostatics, and Hydraulics, well, but they knew nothing of Statics, of the Centre of Gravity, or the Mensuration of Surfaces and Solids. The third and fourth year's students answered well in Dynamics and the Elements of the Differential Calculus, but knew nothing of the simple mechanical powers. There was much in the examination to call for admiration, but without books the students were unable to apply similar reasoning by analogy to easier examples. They had no thorough comprehension of the terms or symbols used. Captain Rivers thinks this state of things partly owing to the desire of showing to the public a high state of attainment, and to the good opinion which the students thereby acquire of themselves. Much of this exercise of the memory rather than of the reasoning powers, is true also of English Universities. The difference is owing to the introduction of private tutors. The Professors and Masters have done all that ever is done without such a system.

Assistant Surgeon R. Haines, M. B., on 23rd February reports his examination on Chemistry and Physical Science. A printed paper was given containing seven questions. This was followed by a viva voce examination. The candidate class knew little of Physics, one-third giving creditable answers. In Physical Geography the answers were far from satisfactory. A large number could not tell where the Tropic of Cancer was. The written answers were better. The answers on Chemistry were creditable.

The first year class answered badly in Physical Geography. The answers were worse than might have been reasonably expected. A large proportion knew nothing about the Mississippi, the Dead Sea, or the Jordan. In Chemistry the answers displayed acquaintance with facts, but the majority had not studied attentively. The second year class answered well in this science. The third and fourth classes answered the written questions fairly, but in viva voce examinations, deficiencies appeared. This was especially the case with reference to Palaeontology. They appeared to better advantage in the Mineralogical Division, being able to identify the typical specimens of rocks and fossils submitted.

Mr. A. G. Fraser on 29th February, reports on Political Economy and Moral and Mental Philosophy. The first class had evidently studied Locke. The second class was crammed to the mouth with the *ipseissima verba* of the authors read, but it was melancholy and astonishing to observe how little idea they had of thinking and reasoning, or habitual reflection. What thought had been elicited was in connection with Locke's Essay. The third and fourth year classes were more satisfactory. The students are forming the habit of thinking and reasoning. 150 questions on Butler's Analogy were well answered in words of the students' own. The students had no acquaintance with the literature of the subjects on which they were examined.

Mr. Howard on the 7th March reports on English Literature. Mr. Howard apologizes for the length of his Report on the ground that his conclusions differ from those of all previous examinations. He considers the classes inferior to English undergraduates. Mr. Howard is "surprised at their almost universal carelessness. Written exercises at an English School or University are invariably copied from a rough draft after careful revision. I saw no trace of this wholesome practice in the papers sent in to me. On the contrary, they appeared hardly in any case to have been read over and corrected by the writer." The Orthography was defective to an extent which seemed unaccountable, unless indeed Spelling had been taught on Phonetic Principles. In the viva voce examination the students' pronunciation and accent were bad. They were quite insensi-

ble to Prosody. The students seemed however intelligent, eager to learn, cheerful, and modest.

In the candidate class the Spelling was in some cases deplorable, so bad as to be discreditable to the School. The English letter, however, describing life in Bombay, was in two or three instances fairly done. The class made a very creditable show in History, and almost all were ready in Chronology. Their geographical knowledge appears to have been acquired from books, a deficiency which showed itself in the viva voce examinations. The written answers were good, the oral answers vague and meagre. The first year students failed in Geography, but replied readily to Questions on the History they had read. The History was Murray's. The answers on Heeren's Manual of European History were defective. To questions on English Literature the boys' answers showed only memory. Fifteen described Pope in the same words, the words being the first of the Article on Pope in Chambers' Encyclopædia. The descriptions of life in Bombay were very good. As to the second year's class "they struck Mr. Howard as inferior to the students of the first year. They seemed to have been neglected at School. The Spelling of the large majority of the written papers was nothing less than disgraceful. The Grammar was mostly deplorably bad. The viva voce answering of all, except four or five students, was poor in the extreme." There was no indication of a real insight into the facts of the History they had read.

The third and fourth classes sent in most unsatisfactory Essays. The subject was the effects produced on the History of the World by the invention of printing. The best of them were fair in respect to Grammar and idiom. They did not show any surprising or disgraceful want of instruction, but not one of the young men seemed to have a notion of Methodical composition. The writers seemed to have exercised their memories and no other faculty. These papers however were good compared with the papers upon Literature, which Mr. Howard hesitates to describe.

On 29th April, the Governor in Council resolves that "the Examiners are entitled to the acknowledgments of Government, and that Mr. Erskine has analysed the results of the examination with accurate discrimination." The Governor in his Minute, dated 21st April, observes that it is impossible to read these Reports without a feeling of disappointment. The Government would be guilty of a serious error if it blinked the facts which they disclose." Too much has been attempted. The staff of Professors, and of European Assistants is too small. Previous to their introduction the number of subjects of study should be reduced. Mr. Lumden in a Minute, dated 27th April, strongly supports Captain Rivers' suggestion as to the introduction of private tutors."

In Politics, there is a long summary of 'Indian Treaties' made since 1834, ordered by the House of Commons to be printed. From it we take the following :—

"Hyderabad. Treaty with Ameers, March 11th, 1839. Lasting friendship. A British force not exceeding 5,000 men to be maintained in Sind. All the Meers, Sobdar Khan excepted, to pay each a lakh of Rupees annually for the maintenance of the British force. The British Government undertakes to protect the territory of the Ameers, from all foreign aggression. The Ameers to remain absolute rulers in their principalities, and the British jurisdiction not to be introduced. The Ameers will refer all their disputes to the British Resident. They will not negotiate with foreign states without consent of the British Government. They will act in subordinate co-operation with the British Government, and furnish when required 3,000 troops, to be paid by the British Government when employed under British officers beyond the Sind Frontier. The Company's Rupee shall be current in the Sind territories. All tolls on the Indus are abolished, but goods when landed and sold to be subject to the usual duties of the country, except when sold in a British camp or cantonment. Goods may be bonded at the mouths of the Indus till the proper time arrives for sending them up the river.

Meerpoor. 18th June, 1841. Lasting friendship and alliance between the Honourable East India Company and Sher Mahomed Khan, Meer of Meerpoor

The Ameer to pay Rs. 50,000 per annum towards support of British force in Sind. The British Government to protect the Meer from foreign aggression. The Ameer to remain sole ruler in his principality, and the British Government shall not be introduced. The Meer will refer to the British Government all his disputes with the other Ameers. The Meer will not treat with foreign states without consent of British Government. The Meer will act in subordinate co-operation with British Government for defensive purposes and will furnish a quota of troops. The Company's Rupee to be current in the Meer's territory. Tolls on the Indus abolished. Goods landed and sold may be taxed, except when sold in a British camp or cantonment. Goods may be bonded at the mouth of the Indus till the period arrives for sending them up the river.

Ratified by Governor General in Council, August 16th, 1841.

SCINDIA. Treaty of 13th January, 1844, between British Government and Maharajah Jyajee Rao. Former treaties to remain in force except as now altered. Revenue of certain additional districts appropriated for the support of the contingent. Should the revenues now and heretofore assigned exceed 18 lakhs, the surplus to be paid to the Maharajah, but should the revenue fall short of 18 lakhs the deficit to be made good by His Highness. The Civil administration of the assigned districts to be conducted by the British Government. His Highness to pay to the British Government the sum of 26 lakhs within 14 days from date of this treaty, partly for arrears of charges of contingent, and partly as compensation to British Government for expenses of the late hostilities. As the British Government undertakes to defend the Maharajah and his dominions, the Maharajah's military force exclusive of the above contingent is never to exceed 9000 men, and all troops now in excess entertained to be paid up in full and disbanded with a three months' gratuity. The minority of the Maharajah to end, January 19th, 1853. The Government to be administered in the interim by a Council of Regency according to the advice of the British Resident. Three Lakhs per annum assigned to Her Highness Tara Bae. The British Government shall as heretofore exert its influence and good offices to maintain the territorial rights of the Maharajah, and the subjects of the State of Sindia at present residing in the neighboring and other native States."

In Public Works, the following, consisting partly of extracts from the original report, gives a clear and graphic view of what has been accomplished in the Survey of Pegu:—

The Northern or Third District of the Pegu Survey consists of that portion of the Valley of the Irrawaddy which lies between the boundary line marked by Major Allan in the North, and an imaginary line drawn due East and West through the latitude of Akouk-toung to the South. It is bounded on the East by the Yoma Range, which separates the Valleys of the Sitang and Irrawaddy Rivers, and on the West by the Arracan Mountains, comprising an area of about (90 x 66) 6000 square miles, which is divided into two nearly equal parts by the Irrawaddy on the left bank.

In this district the spurs of the Arracan Mountains run down to the Irrawaddy, sometimes losing their old character. They are sometimes hills of 200 or 300 feet in height, sometimes only undulations. One spur runs due East, but the majority South. The main spurs consist of high peaks connected by saddles of a few feet in width. They are covered with tree and bamboo jungle, and are very precipitous. The drainage is effected by small nullahs, which midway form larger channels, and these again 4 streams, the Matoong, Maday, Shooetana, and Shelayding. In the monsoon only boats drawing 2 or 3 feet of water can proceed up the Matoong to Mendoong. In the other nullahs the boats can only ascend 8 or 10 miles. The Matoong rises in the Arracan Mountains, and running 120 miles South East discharges itself into the Irrawaddy; one bank is precipitous, the other shelving. The breadth varies from 70 to 120 yards. The Mudday rises in the same Mountains, flows 40 miles, and empties itself into the Irrawaddy. It is navigable in the rains for 12 miles. The banks are precipitous, and it varies from 30 to 70 feet in width. Beyond Kyu-poo it is a mountain torrent. The Shooetana is about 150 yards broad and 4

feet deep. Five miles from the Irrawaddy it branches into the Kyonpyoo and Boiyo. The former rises in the Arracan Mountain, and runs South East 80 miles to Nyoung keedouk. It is about 20 to 40 yards in breadth. The Boiyo runs 80 miles South East. The Theree rises in the Arracan Mountains and runs 40 miles S. E. to Kyongoo, then runs South till it falls into the Boiyo. All these streams are mountain torrents with pebbly or rocky bottoms, high banks, and currents of great velocity. 'The Theloyding rises in the Arracan Mountains and runs into the Irrawaddy in an Easterly direction, about 6 miles North of Akouktoung.' The Mingday rises in a range 10 miles West of Thyatmo, runs 85 miles and falls into the Irrawaddy South of Thyatmo. Its banks are low and its bed about 15 or 20 yards in width. In dry weather water is obtainable by digging a few inches below the bed.

The principal valleys are the Matoong, Punnee, Boiyo, Kyeupyo, Theree, and Thelayding. The Matoong valley is the most important. Two miles above the mouth of the river we come on a cultivated tract $2\frac{1}{4}$ miles broad, with mango, tamarind, or palmyra trees to mark the villages. On the left bank the open ground continues to the junction of the Punnee and Matoong. From Kanlay to Mendoong it is from 3 to $1\frac{1}{4}$ miles in width and this is well inhabited. Water is raised from the river by a water wheel, and the ground yields 3 and sometimes 4 rice crops a year. Chillies, brinjal, tobacco, onions, and maize are raised on the low ground.

"Looking from the hill on which Mendoong is situated in a Westerly direction, the valley seems to open a little for a few miles, and there is a large tract of cultivation to its North and West.

This valley is exceedingly picturesque. In the valley of the Punnee there is little cultivation. Spurs covered with jungle run down to the bank, but every level space has been taken advantage of. In part of the valley the villages are unusually large.

'In the valley of the Mudday, from the mouth of that nullah to a distance of about 8 miles to Alayyua, there is a large tract of open ground, varying from $2\frac{1}{2}$ to 5 miles in width.'

But a portion of this is cultivated, though more has been. In the valley of the Shooetena and Boiyo there is a large tract partially cultivated. It is however neither fertile nor populous. The villages on the bank have been deserted. In the valley of Kyoupoo there is a cultivated tract, and some ruined villages. The same may be said of Thelayding. Only 2 villages out of 30 now remain. The roads are mere tracks, the Burmese going a circuit to avoid a fallen tree. There are some small bridges. There are a few Kayins, a simple mountain race, in the district. They have no idea of future reward or punishment, and deny the existence of sin. They burn their dead, but collect and bury their ashes. Their God resides on Mount Guowa. The females tattoo their faces. The district is chiefly occupied by Burmese who resemble those everywhere else. The population is small and increases slowly. The Burmese have large families, but the children die rapidly of small-pox and other diseases. Their cultivation is as usual, but they cultivate a small and highly prized rice in a peculiar way. The jungle is cut in February or March, and burnt in May. The charcoal is the manure, but only one crop can thus be obtained in 25 years. The only implement of labour is a rude plough. At Thyatmo the exports are rice, paddy, betel nut, ngapee; bamboo and wood oil are sent down from the North. Lime and cutch may one day be sent down. The imports are silk, earth oil, lacquered ware, lead, copper and cutch.

In the west district there is a thermometrical difference of 40 or 50 degrees in the temperature at dawn and mid-day. In the morning there is fog, which clears away about 9 A. M., when the thermometer rises 45 degrees at once. The Towns have usually one good street, 60 feet broad, with lanes leading into it. They are situated on the river or a large nullah, and contain several phoongee houses. There is no drainage except at Promé and Thyatmo. The villages are irregular, each person having his own plot of ground. The houses are raised some feet from the ground, made of timber, jungle trees being used for frame work, and bamboo for floors. The walls are of bamboo mats. The phoongee houses are built of teak frame floors, and partitions; the roof is made of flat tiles, or leaves. On the body of the building are five or six roofs, one above

MARCH, 1857.

another, crowned with a gilt ball or umbrella. The cornices, eaves, and angles are ornamented with figures. The largest Capt. Oakes had seen covered an area of 10,402 square feet.

'The principal wild animals and birds met with in the Northern district are the elephant, the tiger, the bear, the deer, the hog, the hare, the porcupine, and monkeys in great abundance; the crane, the crow, the wild duck, the hawk, the jungle fowl, the kite, the minah, the paddy bird, the parroquet, the partridge, the peacock, the pigeon, the pheasant, the quail, the snipe, the sparrow and the teal.

In the appendix Captain Oakes gives a table of the trees of the district, and describes the waterwheel.

<i>Burmese name.</i>	<i>Botanical name</i>	<i>Uses.</i>
Myoeshan,	Dalbergia,	Like lancewood.
Sha,	Acacia catechu.	The cutch bearing tree.
Lepen,	_____	The pod contains silk cotton.
Deedoo,	_____	Idem.
Gway B,	_____	A fruit like a plum.
Gyo B,	_____	Extremely hard wood.
Peemal,	_____	{ A large timber tree useful for building.
Thingan,	Hopea Odorata,	
Thesing,	_____	For canoes and building.
Shonk,	Citrus bergamia	Like a chesnut.
Kookko,	Acacia	Large lime.
Jug B,	Dipterocarpus grandiflora,	Timber tree.
Teethoe,	_____	Wood oil tree, the tree is tapped.
Thabya,	_____	Chinese date.
Yee B,	_____	Its bark used as a mordant.
Tree B,	Zezyphus jujube,	A plum.
Touksha,	Vetex arborea,	Jujube lozenges are made from it.
Padouk,	_____	Small timber
Teak,	_____	Valuable timber.
		Teak."

All important matters are noticed, from the "cleaning of the drain of Black Town" to the highest principles of governing a great empire. A carefully compiled Index adds additional value to the whole. In these "Annals" the best qualities of the Historian, the Statist, and the man of literature are throughout evident. They are a most valuable addition to our Anglo-Indian Periodical publications.

Selections from the Records of the Government of India (Public Works Department.) No. XIX., I. Lieut. W. R. Greathed's Report on the communication between Calcutta and Dacca II. Lieut. G. Sim's Report of progress on the Dacca and Arracan road. III. Capt. W. Dicey's Report on the Creek Navigation from Akyab to Toungoup. IV. Lieut. F. G. R. Forlong's Report on the Toungoup Mountain Road, 1856. No. XXI. Revenue Reports of the Ganges Canal for the year 1855-56. By Lieut. Col. R. Baird Smith. Irrigation in Egypt. By Capt. G. Fife, Bombay Engineers, 1856.

SUCH works as the "Annals" just noticed will soon relieve critics and reviewers of the necessity of noticing the periodical "Selec-

tions from the Records of the Government of India." The worst feature of these is that what is really valuable in them,—the reports of the men who have actually done the work,—is surrounded by official letters to and from the heads of Departments, and by an amount of formal red-tapism that, so far from edifying, disgusts.

Notwithstanding the lull that has taken place in the Public Works Department, operations in some of the furthest outposts of the empire seem to be proceeding with energy and success, owing, we believe, chiefly to the zeal of the men who are at the head of the various parties, and whose reports are contained in the first of these 'selections.' However important Railways may be for civilisation in its higher and more advanced forms, roads must come first, and for all the common and ordinary purposes of social life, the former will never supersede the latter. The first requisite and evidence of civilisation—common roads, must advance in perfection and utility with it. We are far behind the old Romans. They had leisure to labour and enjoy the fruit of their labours, we live too intensely to labour for the future or for any but ourselves. We question if the Cloaca Maxima of the first Tarquin, or the Via Appia through the marshes from Rome to Brundisium, have ever been equalled. We fear, that we never shall have such a 'communication' through the Sunderbund marshes from Calcutta to Dacca.

Lieut. Forlong is evidently a man of action and common sense. His Report, topographical and detailed though it be, is decidedly interesting :—

"With reference to the advisability of importing laborers, I can only repeat, if possible more strongly now, what I wrote you on the 9th of February last, as my then experience of Indian workmen in Burmah :—

"With high monthly pay, although the lowest they could be got at, (12 Rupees in the mountains, rations besides), they have proved too fond of liquor, a sickly race, and thus very difficult to manage; their high pay, and ideas of their own worth have, in fact, spoilt India's best race of workers; they are strenuous in their endeavours to refuse our task-work, which I have been equally determined to enforce from them as from all other laborers, and this has lost us many, who have run away.

"The trial has proved to me that there is nothing like the Burman judiciously managed, tasked or at contract, at least in his own country, and I am beginning to think in *India or the East*.

"I have 1,300 men tasked individually every morning before 7 o'clock in this camp near the Pegu summit, about 7 or 800 men near the Pegu base, and I could draw 2,000 more from Burmah if we had tools to give them. There are besides 2,000 near the Arracan summit; and we have quarrying, mining, and blasting parties, who get an anna a day more than the excavating parties. All are working with a fine spirit; many parties always intent on trying to surpass others in the width or style of work, to get themselves or Goungs an increase, or present, or to get into the stone-blasting or quarrying parties, where the pay is higher and only picked men are allowed.

"I have been much surprised at our success with the blasting parties, who are scarcely to be surpassed in the cleverness they evince in splitting rocks and in their management of the huge fragments as turned out.

Our only want now is in artificers, good smiths to repair the tools, and head carpenters, but most of all, European Overseers of experience."

"There is also another point which I think deserving, for several reasons, of

the most serious consideration, as regards the importing of the Indian laboring class, or indeed Kalas* of any kind into Burmah; the *demoralizing* tendency it so frequently has, as well on themselves (already generally the scum of India, for only such, as a general rule, emigrate) as on the Burmah population, who first sneering at, and for the most part abhorring their vices, soon fall into them, and scholar-like, as regards vice, surpass their masters.

"Withdrawn suddenly from all his family ties, and to him, the very useful (under such circumstances) restraints of caste, the Indian finds himself with twice or thrice the pay he ever before had, away from his relatives, and in a country where not only caste is unknown, but, apparently also to him, the marriage-tie itself, and he soon launches out into vices not slow in spreading their destructive contagion, misery, as well as disease, from camp to town and town to country, even to most secluded village hamlets, which, but for these foreigners, might have long remained in happy ignorance of such, or at all events *not* become *inured* to daily scenes of drunkenness, immorality, and crime of all kinds, in my experience the distinguishing feature of the Indian laboring class in Burmah.

"Out of 150 Coringa laborers, the pick of 300, engaged by me and brought up here in November last, well-fed, well-paid, and well-looking after, in fact treated, as far as we could, as a sort of Sapper Company, I do not believe 50 are now alive, or if so, capable, from drunkenness and debauchery, of again earning a livelihood by manual labor; and as regards their utility to us in jungles or away from bazar towns, I may add, that backed in this case by an agreement, six years' experience of this class in their own country, and a knowledge of their languages, I altogether failed in getting *above one-half of them* to move from the river bank and bazar towns for work in camp; and those who did come soon filled the Burman camps with drunkenness and vice, before unknown in our camps, and gave so much trouble that their running away was neither regretted nor noticed.

"I believe the only way to import laborers into Pegu, advantageously, and durably, is for Government to bring the people over in *whole villages*, giving them favorable terms and some cattle, with promises to employ for six months each year every able-bodied man and woman, and this might, perhaps, prove as beneficial as the present mode seems deleterious to the permanent welfare of Pegu.

"These villages would, I think, form *nuclei*—which would draw the emigrant Kala population around them, and if so, as caste communities, aid, at least, in a great measure in restraining their vices.

"What we most want at present for public works in Pegu are Indian artificers, head carpenters, joiners, and bricklayers, smiths, moochies, &c., for Burmah does not, at present, possess any worthy of the name of such; and the importation at least of the two former workmen, being generally India's respectable middle classes, will confer benefits not detracted from by injury to the Native population, an injury to Government, and as troublesome as expensive."

Lieut. Colonel Baird Smith's Report is a most able one. The British in India have indeed reason to be proud of the Ganges Canal.

* "*Kala*," the Burman appellation for all Western Foreigners.—ED.

The Neilgherries ; including an account of their Topography, Climate, Soil and Productions ; and of the Effects of the Climate on the European Constitution. By R. Baikie, Esq., M. D., formerly Superintending Medical Officer on the Neilgherries. With Maps ; a Panoramic view of Ootacamund ; sketches of Koonoor, Koleegherry and Jackatula ; extracts from other writers incorporated ; and statistics to the present time ; collected by the Editor on a late visit. Edited by W. H. Smoult, Esq., and dedicated, by permission, to the Right Honorable George Francis Robert Lord Harris, Governor of Madras. Second Edition. Calcutta, 1857.

ALTHOUGH we cannot quite controvert the assertion which is involved in Shakspeare's question,—

Can a man carry fire in his hand
By thinking of the frosty Caucasus ?—

Yet we can bear testimony to the fact that it is no small relief to the sufferings attendant on a sojourn in this land of warmth and flatness, to have our thoughts directed, and ourselves in imagination transported, to the cool hills which form the noble characteristic of the Southern Presidency—and to be conscious that, within a week's tolerably pleasant and salubrious voyage and journey of this purgatory of grill, and dust, and unremitting fag of hand, and heart, and brain, this steaming withering Gangetic sand-bank, infested by care-worn and pallid (or, as our contemporary of the *Hindu Patriot* insists, bloated and dissipated-looking) European men and feeble-kneed putty-faced European brats, there is a delicious mountain retreat, full of glorious scenery, breezy, bracing, icy, a place for peajackets and wash leather socks,—heights above whose giant shoulders the fleeciery clouds can scarcely rise, mountain torrents which are launched forth like white horse tails, not to return to earth again, but to be lost in air, in diamond sparkles and young rain-bows ;—a pleasant dreamy land, where nobody (with the exception of the Commandant of the Hills) ever appears to work ; where there are heaps of oranges, plums, peaches, nectarines, apples, pears, strawberries, raspberries, aye and rosy-cheeked pip-pins, and still rosier-cheeked children and beautiful equestrians, who encounter one at every turn in the hills (as Mistress Die Vernon always does Mister Frank Osbaldiston when we read *Rob Roy*) with, as Mr. Smoult assures his readers he can “ in all truthfulness affirm,” “ complexions as bright and clear,” “ spirits as gay and buoyant,” and “ eyes as sparkling and beaming with animation as if they were “ enjoying the fresh mountain breezes of the Highlands of Scotland ; ”—a real Utopia, where there would appear to be a Police Magistrate and a Principal Sudder Ameen, but no Coroner, and, we strongly suspect, no cage (for what reasonable excuse could people have for breaking any law, except that against robbing orchards, in such a fairy

land as this?)—where every public functionary is courteous, able, and indefatigable; where the doctors would be skilful, did it happen that there were any tough cases indigenous to the place; where the Church is “elegant,” and the Post Master “efficient,” where the shops are “admirably well supplied,” the tailors “highly respectable” and “first rate!” the Milliners “excellent,” the native tailors “remarkably good,” and the boarding schools “respectable,” and where the hotel keepers are, a “very superior well educated gentleman,” and “a well educated man and a first-rate gardener and botanist;”—as they all ought to be in a land where—the Heliotropes being 10 feet high and thirty in circumference, and the verbenas attaining the height of 20 feet with the branches of a tree,—it would be indeed a crying shame if—

“All but the spirit of man were divine.”

Happy land, happy, peaceful denizens, happy fortunate visitors. Would that we were again three and twenty, with calves to our legs, and anything in the way of digestion to speak of, and only just such a little bit of our liver touched as to justify a medical certificate, and with anything approaching to the sum of rupees *three hundred and forty* in our pockets,—all that is required, in addition to the above mentioned qualifications, to carry one to Ootacamund! Ah, hot as it is, the next steamer should bear us hence, panting for the sweet pure breezes of the Blue Mountains!

Inspired by his descriptions, we are, however, losing sight of Mr. Smoult, and his very useful and practical hints. We regret that, in justice to our author, we can only afford our readers a few scattered *excerpta* from the latter. The Neilgherries are far more accessible now than they were in Dr. Baikie's time; Mr. Smoult informs us:—

“The Rail-road already completed to Arcot, about seventy-one miles of the distance from Madras, and which is in rapid progress of extension towards the opposite coast, with a branch to the foot of the Hills, will, it is expected, be finished in about two years and a half, and will then render the access to the latter, the easy journey of *a day* instead of a tedious travel of four or five days: and this enables the Editor to dispense with thirty pages of protracted routes given in the first edition; and he has substituted for them full particulars in regard to routes, distances, and stages, as at present existing: the lines of the routes appear in the Map.

“But to shew the facilities of the journey, the Editor will simply mention, that he left the Hills, on his return to Calcutta, on the 5th of September last; reached Madras on the 9th; remained there two days; embarked on a steamer, and reached Calcutta on the 16th; again embarked on a steamer, on the 23rd of September; and reached Ootacamund on the 1st of October; having remained two days on the way at Madras. He arrived *within one hour* of the time at which, by the Calcutta Electric Telegraph, he had apprised his friends of his expectation of meeting them, to breakfast, at the Bungalow near the head of the “Seegoor Pass.”

The Blue Mountains are shown to possess those greatest of all desiderata in a tropical climate,—a mild mean annual temperature, and a remarkably moderate daily range of temperature:—

“It appears from them, that the mean annual temperature of Ootacamund is 58°.68, the greatest annual range 39°, the maximum being 77°, and the mini-

mum 33 ;* the mean annual range is 16°.84, and the mean daily range 17.01. The maximum power of the sun's rays is equivalent to 21°. 73.†

"The quantity of rain that fell, on an average of four years in the author's time, was 48.48 inches; the number of days in a year in which there was heavy rain 19; of showery rain or drizzle, with fair intervals, 81; cloudy, 28; and of days perfectly fair and dry, 238.

"The mean temperature of Kotergherry is about 3° higher than that of Ootacamund; that of Coonoor, and Jackatalla probably six degrees warmer: less rain falls at any of these places than at Ootacamund; and it is generally dry at each, when it rains at Ootacamund, from their being affected by different monsoons.

* * * * *

"Disregarding minor differences, the most striking fact, proved by the concurrence of all the observations, is, *the very remarkable equability* of the climate at Ootacamund. The peculiar position of that station, placed at a considerable elevation between two great seas, and subject therefore to the equalizing influence of both, the Bay of Bengal on one side, and the Indian Ocean on the other, would, *a priori*, have led us to anticipate, that the climatal conditions would be insular, rather than continental, that the extremes would be moderated, and, that the great variations, observable in other places, within the inter-tropical limits, would be less marked here, and these observations fully confirm this view.

"The range of the temperature of the air, during the hottest hours of the day, or at its maximum, throughout the whole year, appears to be, not quite 9 degrees at the coldest hours of the night; or, at the minimum, only 9°15 degrees; that is, the hottest hours of the day, whether in summer or in the depth of winter, do not vary more than nine degrees. The extreme variation from the hottest day temperature, to the coldest night temperature, during the whole year, (average of 7 years) was only 21°25.

"The hottest months of the year are March, April and May; the coldest months December, January and February.

"The extreme average range, between day and night temperature, was, about the same as the extreme annual range, or 21.150. The mean daily range for the whole year (from 7 years' observation,) was 16°.17 degrees.‡

"The observations, however deficient in extreme accuracy, separately, all concur in their results, and they may therefore be admitted as tolerably well established."

We cannot help quoting, for the benefit alike of our medical friends and of their patients, the following opinion of the highest authority, upon the sanitary effects of residence in these hills:—

"The Editor has also been obligingly favoured with the following observations on the climate of the Hills generally, in a letter addressed to him by Dr. A. Grant, of the Bengal Medical Service, who was the personal Surgeon of the Marquis of Dalhousie, and accompanied his Lordship to the Neilgherries in

* This refers merely to the temperature of the air; as on or near the ground, water freezes nearly every night for three months of the year.

† The Tables in the appendix, distinguished from Dr. Baikie's will exhibit the observations of others.—Ed.

‡ As far as published observations enable a comparison the following gives the extreme ranges of the mean monthly temperature of several Indian Hill Stations.

Simla elevation	8000	from	40°	to	80.9	or a range of	40°.9
Naine Tal, "	62 0	"	42.1	to	69 6	"	27° 5
Dugshai, "	6000	"	42.00	to	72.00	"	30° 00
Kussowlie, "	6400	"	42.00	to	77 20	"	35° 20
Darjeeling, "	70 0	"	40.90	to	64.30	"	23° 40
Cherra Poongee,	4200	"	53.70	to	72.40	"	18° 70
Ootacamund, "	7400	"	51.26	to	60.33	"	9° 07.

1855, and which the Editor introduces here as a valuable adjunct to Dr. Baikie's remarks; confirmatory, as they are, of all that the latter has advanced. The opinion of such an authority, will give the greater confidence to intending visitors from this side of India, where Dr. Grant is so well-known, and his professional character so highly appreciated.

"Your list of memoirs, and works of reference, is the most complete I have seen; and as your narrative will be drawn, not only from these sources of information, but from personal observation, and official documents, I have no doubt the public will have something practically useful. The want is much felt. When about to proceed to the Neilgherries, last year, I could get but conflicting opinions regarding the routes, accommodation, climate, &c., and no copy of Baikie was procurable at any of the Book-sellers.

"It is surprising, that the advantages of the Blue Mountains should have been so long overlooked, in a country where European health is so precarious, and the necessity of a change to a cool climate, is so frequently and so urgently called for: in Bengal, they have scarcely attracted attention, otherwise how many invalids might have been saved a trip to Australia, or the Cape, or even to England.

"You wish for some remarks on "Kotergherry" and "Coonoor." I would observe, that these are the fittest for many classes of patients, on first ascending the hills, and this adaptation of different stations, in the Neilgherries, to different diseases, and to different stages of the same disease, is a great advantage: they have also an atmosphere more completely oceanic, than that of any other mountain range, which renders them beneficial for a large class of invalids.

"Those capable of taking exercise in the open air, are in the condition to derive the greatest advantage from the climate, hence, the impropriety of sending patients, in an advanced stage of disease, for they rarely do well. It is not so much the *nature* of the disease, as the *stage* of it that is to be considered.

"In the second year of residence the invalid may try the more elevated, and bracing regions about Ootacamund.

"The situation of Coonoor is rather confined, but it is a pleasant, retired, and pretty summer residence, well sheltered from the S. W. monsoon, and easily accessible: there is a great variety of beautiful rides, and one excellent carriage drive, and the scenery presents an assemblage of wood, rocks, water, and ravines, singularly picturesque.

"The climate is very mild, and rather humid, consequently, relaxing, but soothing, and best adapted for old Indians, with whom a soft and mild climate agrees best. It is most favorable for cases requiring, simply, a reduced atmospheric temperature. The mild soft air is good in bronchitic affections, and in incipient pulmonary consumption. If the liver be affected, or there is bowel-complaint, the first season should be spent at Coonoor, the humid cold of Ootacamund being prejudicial. The mild and equable climate of Coonoor also improves the general health in rheumatism; and affords a prospect of recovery, after the failure of all other means. Asthmatic cases, which bear an elevated situation, often do well here. Delicate and sickly children are often sent from Ootacamund to Coonoor, and with good effect.

"Kotergherry presents a medium climate between Coonoor and Ootacamund, and, judging from my own observation and personal enquiries, it is the best of the three, when a selection of *one* is to be made.

"The extreme, and daily average range of the Thermometer, is less than at Ootacamund, and the nights are not so cold. During the summer months of 1855, my Thermometer, in the shade, used to range from 62° to 65° at Kotergherry; and from 65° to 70° at Coonoor.

"There was, occasionally, heavy rain, but, upon the whole, the station is well sheltered from the S. W. monsoon, while the soil is so porous, and the drainage so excellent, that no water lodges; and the air not long charged with moisture. There is less deprivation of exercise than at Ootacamund, and, if the climate is not so bracing and invigorating, it wants the cold sharpness of the more elevated locality.

"The scenery at Kotergherry, is tame, and altogether less grand than Ootacamund, but it possesses much beauty, where it borders and overhangs the plains; there is a want of trees, the hills being either covered with grass, or a low bushy jungle where they are not cultivated.

"The great drawback to the station is, the want of a resident Medical officer, and a good bazar, there being only one market-day weekly.

"It is to be observed, also, that the limited accommodation at Coonoor, and Kotergherry, has much prevented their being resorted to by invalids, but each will soon be improved in this respect.

"For pale, and weak children, the climate of Kotergherry is well suited, especially when they are growing rapidly—they can be much in the open air, and soon gain strength. It is also well adapted for women, whose system, are much relaxed, and feel the severity of the moist cold of Ootacamund.

"Kotergherry is much preferable to Ootacamund for persons who have been long subject to the oppressive and relaxing heat of Bengal; who suffer from dyspepsia, constipation, and weak health, arising from too much, and long continued mental exertion, and the cares and anxieties of official life.

"I may add one other advantage that the Bengal invalid has, in proceeding to Madras—and that is, the medium climate of Bangalore, where he may make a short stay, with much benefit."

Last but perhaps greatest of all, in this stern hungry age, we have to announce to intending visitors to Ootacamund that in restoring their constitutions in the Neilgherries they are not likely, without culpable extravagance, to damage their finances. Mr. Smoult informs us that, "A Bachelor may live on 150 Rs. and a married man and his wife, paying 40 or 50 Rs. a month rent, can keep two ponies, and their expenses need not exceed 200 Rs a month.

Happy, happy Blue Mountains again say we! Fortunate, also, in the very sensible pen delineation which they have received from Dr. Baikie and Mr Smoult (we trust that the latter will not be angry if we have given our readers cause to think that he has been felicitous in catching the placid and ever courteous style of our most popular watering place "Guides,") and still more fortunate in being illustrated by the pencil of such an artist as Mr. Henry Frazer, whose tinted lithographs, accompanying this very handsome volume, are, we feel confident, by far the most beautiful works of art ever published in Calcutta.

A Lecture on a Visit to Madras. By the Rev. C. H. A. Dall, A. M. Before the Young Men's Literary Association of Bhowanipore. Given on the 25th December, 1856.

THESE literary associations, formed on the model of the debating Societies of England, are one of the "signs of the times" in which we live. So far as we know, they originated in the excitement that was produced by Dr. Duff's labours in Calcutta, about a quarter of a century ago; and we have noticed that a new crop springs up, and the old ones put forth fresh leaves, whenever the gale of excitement blows over the land. In this light viewed, they may be regarded as at once the symptoms and the causes of good. We presume that this one at Bhowanipore, is one that was instituted a few years ago on Vedantic principles, with the professed object of counteracting

the progress of the Gospel. Is the fact of Mr. Dall's fraternization with this Society to be regarded as a declaration that he and the Unitarians of America regard heathen Unitarianism as preferable to Trinitarian Christianity?

Mr. Dall's lecture is an unpretending and well-written Tract, in which there is nothing at all to find fault with. The author spent thirteen days in Madras, and gives his auditory an account of his impressions. As a specimen of the author's style, and as an interesting piece of biography, we take the liberty to extract his account of a man with whose name most of our readers are probably familiar:—

"A single word of the man himself. It appears that Patcheappah, whose name is destined to be honored, as if he were the Sir Jamsetjee Jeejeebhoy of Madras, or a leading educator of Southern India, died about 50 or 60 years ago. So said my kind informant Mr. Lavery, Principal of the College, or as it is technically entitled "Patcheappah's school." At his death, he left all he had to erect Pagodas; i. e. to build idol temples in the far South. As the story goes, Patcheappah's trustees, as originally appointed, proved faithless to their trust. That is, as I understand it, built no Pagodas, and somehow misappropriated a portion of the money. The British Supreme Court thereupon called them to account. After examining into the case, it appears they took away the trust, put the property at interest, and made themselves responsible for it. The money grew; until, after waiting for nearly half a century, or to about the year 1840, Mr. George Norton succeeded in an effort to move the Court to take action in the matter. Though large and heavy bodies move slowly, the Court was moved. After giving to Pagodas as much as the donor at first intended, in his Will, Mr. Norton moved the Court to give the large residue, or rather the annual interest of it, to the education of Patcheappah's co-religionists, the Hindoos. This surely, was not a bad move.

The original bequest had so accumulated in 1840, that the interest on it more than supported the Madras, Conjeveram and Chedumbrum School;—with an appropriation to the Royapetta girls' school, and I know not to what others. I remember Mr. Lavery's saying, that far less than half of the income was absorbed by the schools; elegantly accommodated as they are, (though not extravagantly,)—in airy buildings—with lofty rooms, and plenty of them. It would appear that by far that larger half of the income was given according to the intention of its original possessor: in other words, it is appropriated annually by the Supreme Court, or by its representatives, the Committee, to build and endow idol temples, gild idols, and fatten the priests of a faith which, to the present distributors of the money, is an abominable superstition and a lie. Do they not deserve your praise for their conscientious devotion to impartial law? Will you not speak well of men who, when they have strength on their side, prefer right to might? At the worst, you see, they are only making Patcheappah an educator and philanthropist in addition to what he intended to be. They are giving him glory, more than he once desired. Which of you would not like to be treated in the same way?

The name of Mr. George Norton should not be forgotten; for with him the educational charities of the Patcheappah fund seem to have originated, or at least to have first come to a palpable result. It seems to me that the name of Norton has as just a claim to be associated with these schools as that of any other man certainly of any man who never dreamed of establishing schools at all. True; Patcheappah might have done very differently had he lived in these days; and partaken of the spirit of this our age of progress—when life has come to be defined as

"One continued growth
Of heavenward enterprise."

THE CALCUTTA REVIEW.

JUNE, 1857.

- ART. I.—1. *Purchas his Pilgrimes*. London, Paul's Church Yard, at the Sign of the Rose, 1625.
2. *Churchill's Collection of Voyages and Travels*. London, at the Golden Ball, Paternoster Row, 1744.
3. *A Voyage to the East Indies*. Observed by EDWARD TERRY, then Chaplain to the Right Hon. Sir Thomas Roe, Knt. Lord Ambassador to the Great Mogul. Reprinted from the edition of 1655. London, 1777.
4. *Coryate's Crudities*. Reprinted from the edition of 1611. London, 1776.
5. *Bruce's Annals of the East India Company*. London, 1810.
6. *Biographia Britannica*. London, 1760.

SIR THOMAS ROE and TOM CORYATE! What connection can there be—some of our readers may exclaim—between two men of such widely differing characters, between the firm, prudent, and dignified ambassador and diplomatist, and the flighty, crack-brained, erratic pedestrian, or—as he delighted to term himself—the Odombian legge-stretcher? And yet widely as they differed in many respects, there were still certain points of resemblance in their characters, which may perhaps be deemed national features,—at any rate it is pleasing so to consider them. Both possessed a considerable share of independence and straightforward honesty, though exhibited in different fashions; each was actuated by a high sense of morality and of honorable feeling, although in the peripatetic it was frequently manifested in a form more quaint than chivalrous; and both were remarkably gifted with the great Anglo-Saxon virtues of energy and indomitable perseverance, which carried them forward successfully towards the widely different goals each had set before himself.

JUNE, 1857.

But the circumstances which lead to their juxta-position in this article is one of specially Indian interest, to wit, their having strangely and unexpectedly been thrown together, nearly two centuries and a half ago, at the Durbar of the *Great Mogul*, exhibiting to the astonished Indian courtiers two extreme varieties of English character, position and habits, at a time when the name of England was barely known in Hindostan, and every thing connected with Englishmen was novel and apparently contradictory, and when the privileges and position of the stately ambassador and the pedestrian pauper, or *English Fakir*, were alike incomprehensible to the Padshah and to those around him. A brief sketch of the careers of the two men so strangely brought into contact and contrast under such peculiar circumstances, may not be altogether without interest; more especially as the requisite details are at present widely scattered, and probably not within the reach of the majority of our readers; even were they disposed to incur the trouble of hunting out and connecting the disjointed fragments of the narrative, which in neither case can after all be rendered satisfactorily complete.

We cannot pretend within the limits of a Review article to do more than touch on the leading points in the careers of our two heroes, dwelling only at any length on the period of their Indian experiences.

We commence with the greater though not the elder man of the two, whose name is the most familiar in India, although we believe that the details even of his history are but little known. Sir Thomas Roe was born at Low Leyton in Essex, about the year 1580. His family, which was originally from Lee in Kent, had for four generations been connected with the City of London. The first of the family who entered into mercantile pursuits was Reynold Roe of Lee, and his grandson Sir Thomas Roe was Lord Mayor in 1568, and did good service in suppressing the *Midsummer Watch*, and replacing it by a regularly organized *Standing Watch*, for the safety and police duties of the City: he was also one of the founders and early benefactors of Merchant Tailor's School; he married a daughter of Sir John Gresham, and left four sons, of whom a younger one Robert was father to the object of our narrative. The latter was early left an orphan, but although his mother was married again, to a Mr. Berkley of Redcourt, she appears to have done her duty by her son Thomas in a most exemplary manner, and to have taken great pains with his education. Most probably the foundation was laid in the school upon which he had a family claim, but it is more certain that at the early age of less than fifteen he was entered a Commoner of Magdalen College, Oxford. Here he did not remain long enough to take a degree, and on leaving it

went over to study in Paris. On his return he entered one of the Inns of Court, and shortly after was appointed Esquire of the Body to Queen Elizabeth, just previous to her death. In March, 1604, he was knighted by James the 1st, and specially attracted the regards of Prince Henry, with whose countenance and support—following the adventurous habits of the period—he undertook a voyage of discovery to South America.

With this object in view he built and equipped, in a great measure at his own cost, a small ship and a pinnace, the command of which vessels he entrusted severally to Captains Mathew Morgan and William White, both experienced seamen, who subsequently acquired considerable celebrity in their arduous profession.

Having completed all his preparations, our young adventurer set sail from Plymouth on the 24th February, 1609, and reached the mouth of the Amazon in the latter end of April. If not the first to discover this noble river, he was one of the first to explore it; having sailed up its course for 200 miles, and then proceeded above 100 miles further in boats. From thence he sailed Northward and Westward, exploring the coast, entering several of the rivers and tracing their courses, occasionally engaging in expeditions inland, until he reached the Orinoco, having expended thirteen months in examining the coast between the two great rivers. From the Orinoco he proceeded to Trinidad, and from thence, after visiting several of the West India Islands, bore up for the Azores, and returned to England in July, 1611.

On the 14th January, 1615, he was commissioned by King James the 1st, to be *Ambassador to the Great Mogul or King of India*; from which period he comes specially within the scope of Indian historical interest. The circumstances which led to the appointment were as follows:

Fifteen years had elapsed since "the Company of Merchants of London trading to the East Indies" had received their Charter of Incorporation from Queen Elizabeth. Their efforts for the first ten or twelve years were confined to experimental voyages to India and the Eastern Archipelago; but everywhere they found the Portuguese firmly established in power, and both willing and prepared to oppose any intruders in a field which they considered especially their own. The English Company however persevered; and finally, under an imperial firman dated 11th January 1613, established their head-quarters in Surat, with branch factories at Ahmedabad, Cambaya and Goza, whence they were extended to Ajmere and Agra. The Portuguese, jealous of these advances, assembled a powerful armament, and in the beginning of 1614, attacked four English vessels at anchor off Swally, the

port of Surat ; but were defeated with heavy loss in life and reputation, to the general delight of the native population, and especially of the agents of the Mogul Government, to whom the overbearing, insolent and rapacious conduct of the Portuguese had rendered them peculiarly obnoxious.

The Agents of the Company at Surat taking advantage of this favourable change, despatched Mr. Edwardes to the Court of the Great Mogul, then at Agra, with considerable presents and directions to obtain more favourable terms of trade ; whilst the Company at home applied to King James the 1st, to obtain his Royal authority that an Ambassador should proceed in his name to the Great Mogul, the Company agreeing to defray the expenses, in consideration that, under their exclusive privileges, they were to acquire such benefits as might result from the mission.

The royal choice fell upon Sir Thomas Roe, and a better selection it would have been difficult to make. In the prime of life, —being then about thirty-five years of age,—active and energetic, with a grave and stately demeanour, considerable tact, a good education, experience in mercantile affairs, a decided talent for diplomacy, great firmness of purpose and strength of character, he was eminently qualified for the difficult position of Envoy to a despotic and powerful native Court, as he was neither likely to be dazzled by the display of barbaric wealth, nor awed by the power or frowns of an arrogant sovereign, whilst he possessed the ability and temper requisite to enable him to deal with the intrigues and rapacity of the ministers at the Durbar.

The following letter addressed by King James to "*Selim Shagh the Great Mogol*" was entrusted to Sir Thomas Roe, as also a draft of a treaty of commerce and alliance, the Mogul's acceptance of and signature to which was the main object of the Embassy.

"James by the Grace of Almighty God the Creator of Heaven and Earth, King of Great Britaine, France and Ireland, Defender of the Christian Faith, &c. To the High and Mightie Monarch the Great Mogol, King of the Orientall Indies, of Chandahar, of Chismer (Kashmir) and Corazon, (Khorasan), &c. Greeting :—

"We having notice of Your great favour toward Us and Our subjects, by Your Great Firma to all Your Captaines of Rivers, and Officers of Your Customes, for the entertaynement of Our loving subjects the English nation with all kind respect, at what time soever they shall arrive at any of the Ports within Your Dominions, and that they may have quiet trade and commerce without any kind of hindrance or molestation, &c., As by the Articles concluded by Suc Suff (Sheikh Suffee) Governor of the Guzerats, in Your name, with Our loving subject Captaine Thomas Best appeareth ; Have thought it meete to send unto You Our Ambassadors, which may more fully and

at large handle and treat of such matters as are fit to be considered of, concerning that good and friendly correspondence which is so lately begunne betweene Us, and which will without doubt redound to the honour and utilitie of both nations. In which consideration, and for the furthering of such laudable commerce, Wee have made choice of Sir Thomas Roe, Knight, one of the principall Gentleman of Our Court, to whom Wee have given commission under Our Great Seale of England, together with directions and instructions further to treat of such matters as may be for the continuance and increase of the utilitie and profit of each other's subjects, to whom We pray You to give favour and credit in whatsoever hee shall mouve or propound toward the establishing and enlarging of the same. And for confirmation of Our good inclination and wel-wishing toward You, We pray You to accept in good part the Present, which Our said Ambassadour, will deliver unto You. And so doe commit You to the merciful protection of Almighty God."

The presents prepared for the embassy were, unfortunately, on an unwise scale of economy, and moreover were ill selected; the most important amongst them being a state carriage of the period.

Taking advantage of the sailing of a fleet of four vessels under the general command of Captain Keeling, Sir Thomas embarked on the "*Lion*," Captain Newport, and finally sailed from England on the 9th of March 1615, and after touching at Saldanha and the Comera Islands in the Mozambique Channel, as also at Cape Guardafui! they reached Socotra on the 24th August, where they remained a week, and thence steered for Surat, where they arrived on the 26th September, having followed the usual route adopted at that period.

On the same day Sir Thomas landed in state, accompanied by Captain Keeling, the President and merchants of the factory, and "a Court of Guard of one hundred shot" (*musketeers*) from the fleet, commanded by Captain Harris, whilst "the ships in their best equipage gave him their Ordnance as he passed." On arriving at a large open tent prepared for the purpose, he was met by the chief native functionaries of the city, and treated with much outward respect; which did not however exempt him from considerable annoyance on the part of the Governor, who by force searched his chests and packages, and helped himself to whatever he thought fit.

After much controversy and many difficulties, Sir Thomas started on the 30th of October for the Padshah's Court, which was then established at Ajmir. The details of this trip as given in *Purchas* and *Churchill*, although differing in some particulars, appear to be taken from the same journal; both narratives are somewhat scanty and meagre, but as they are written by Sir Thomas himself in the first person, we prefer adopting

his own language as far as practicable; which course we will pursue in the whole account of his Indian visit, connecting the scattered notices of interest by the few necessary remarks, and, as far as we are enabled to do so, filling up the blanks in his narrative.

His suite appears to have consisted of a Secretary, a Chaplain, an Artist and fifteen English domestics. At starting he followed the course of the Taptee up to Burhanpur; his own brief account of this route is as follows:—

“On the 30th of October I departed Surat and travelled but four cosses to Oumaria: the 1st of November to a village: the 2nd to Biarat twenty-one miles, where there is a castle, this town being on the borders of the kingdom of Guzerat, subject to the Mogul, and belonging to Abraham Chan. The 3rd, entered the kingdom of Pardafsha, a Pagan lord of the hills, subject to nobody, and at fifteen miles’ end lay in the fields by a city of note called Mughur. The 4th, nine miles, rocky way, lay in the fields by a village called Narompara. The 5th, fifteen miles, in the fields. The 6th, twenty miles to Nunderbar a city of the kingdom of Brampore, subject to the Mogul. Here we had first bread after coming from Surat, because the Banians who inhabit all the country, make no bread, but only cakes. The country is plentiful, especially of cattle, the Banians killing none or selling any to be killed. One day I met ten thousand bullocks loaded with corn, in one drove, and most days after, lesser parcels. The 7th, eighteen miles to Nimgul: the 8th, fifteen to Sirchelly: the 9th fifteen to Tolmere, (*Talnier*). The 10th, eighteen to Chapre, where having pitched the tents without the town, the king’s officers attended me all night with thirty horse and twenty shot, for fear of the robbers in the mountains, because I refused to move into the town. The 11th, eighteen miles: the 13th, eighteen miles; and the 14th, fifteen miles to Brampore, (*Burhanpur*), which I guess to be two hundred and twenty-three miles east from Surat. The country miserable and barren, the towns and villages all built of mud, so that there is not a house for a man to rest in. This day at Batharpore, a village two miles short of Brampore; in their store house of Ordnance I saw divers of brass, but generally too short and too wide bored.”

At his entrance to Burhanpur Sir Thomas was met by the “Cutwall well attended with sixteen colours carried before him,” by whom he was accompanied to the Serai of the town, which he calls the “*Seralia*,” and describes as being “a handsome front of stone, but the four chambers allotted me like ovens, no bigger, round at the top, made of brick in the wall side;” a description that any one who has had the misfortune to put up in a Mogul Serai will readily recognize.

Here he found Sultan Parviz, the second son of Jehangir, who, together with the Khan-i-Khanan had, at the head

of a large force, established their head-quarters at Burhanpur, in order to control the confederate Deckani monarchs, who,—under the guidance of Malik Amber, an Abyssinian adventurer who had raised himself to the position of minister and actual ruler of the Nizam Shahi government,—continued to assert their independence. Of the relative positions of Parviz and the Khan-i-Khanan, Sir Thomas observes, “The Prince hath the name and state, but the Channa Channa governs all.”

On the 18th “for many considerations, as well to see the fashions of the Court, as to content the Prince who desired it, and whom he was loathe to distaste, because there was some purpose of erecting a Factory in the Town, where he found by experience that sword-blades sold well in the Armie,” Sir Thomas went to visit the Prince, carrying a suitable present with him.

Here the ambassador had to make his first stand for his privileges and position. He was escorted to the palace by his old acquaintance the Kutwal with a hundred horsemen, and found the Prince “seated in a gallery in great but barbarous state, with a rich canopie over him, and underneath all carpets, and all his officers and the great men of the town standing round with their hands before them as slaves.” To describe it rightly, he observes, “it was like a great stage, and the Prince sat above like as the mock kings doe there.” On advancing to the front through a lane of courtiers, an officer came and directed him to take off his hat and bow down touching the ground with his head. This he firmly refused to do, observing that “he came in honour to see the Prince and was free from the customs of servants,” and passing to the front of the throne, which was raised on a platform ascended by three steps, he bowed his body in the English manner, observing that being ambassador from the King of England to the Prince’s father, he could not pass the city without visiting him. Parviz bade him welcome, and asked him numerous questions regarding King James and England, when Sir Thomas, tired of standing below, and probably doubtful of his own exact rights, requested to be allowed “to come up and stand by him,” to which Parviz replied that “if the King of Persia or the Great Turke were there, it might not be admitted.” Sir Thomas ventured to doubt this assertion, but observed that he did not require the privileges or position of those potentates, but the same that their Ambassadors would receive. The Prince protested that “he already had them and should in all things.” Still not satisfied, he demanded a chair, and goes on to say “I was answered no man ever sat in that place, but I was desired, as a courtesie, to ease myself against a pillar covered about with silver, that held up his canopie.” These matters adjusted, the presents were produced, and permission solicited to establish a

factory at Burhanpur, and also for a supply of fresh carriage to carry on the presents to the Padshah. These were readily accorded, and the Prince satisfied with the result of the interview, proposed—as he could not admit of Sir Thomas on the platform of the throne in public—to adjourn to a private room, when he would shortly receive the Ambassador in a quiet way and on a more equal and familiar footing. He accordingly broke up the Durbar and went into another apartment; but unfortunately one of the presents was a case of wine, to which the Prince immediately applied himself, and soon became hopelessly drunk, when Sir Thomas, after waiting for a short time, returned to his quarters.

That night he was attacked with fever, which delayed his progress until the 27th, when he recommenced his march, though still weak and carried in a litter. On the 5th of December he crossed the Nerbudda, apparently at or below Mundlaisir, and encamped on the 6th, near Mandu, which he calls “the King’s famous castle of Mandva,” with which he subsequently became better acquainted. On the 18th of December, his tents were pitched under the far-famed fort of Chitor, which then, as now, was a deserted ruin, although its famous siege and capture had only occurred in the previous reign. He describes it as “an ancient Citie ruined on a hill, but so that it appears a tombe of wonderful magnificence; there still stands above one hundred churches, all of carved stone, many faire Towers and Lanthornes cut thorow, many pillars and innumerable houses, but no one inhabitant. There is but one ascent to the hill, it being precipitous, sloaping up, cut out of the rocke, having foure gates in the ascent, before one arrives at the city gate, which is magnificent. The hill is encompassed at the top about eight cosse, and at the south-west end a goodly old castle.” All this is nearly applicable to its present condition. He falls into the common error of mistaking a title for a name, and says it belonged to “one Ranna a prince newly subdued by this King, or rather brought to confesse tribute.” He also says “Ranna is rightly descended from Porus the valiant Indian overcome by Alexander; so that I take this Citie to have been one of the ancient seats of Porus, though Dely much further North is reported to have been the chiefest, famous now only in ruines. Neare that stands a pillar erected by Alexander the Conqueror with a great inscription.” This is most probably an allusion to Feroz Shah’s Lath, and was written before Delhi had arisen from its ruins under the new designation of *Shah Jehanabad*.

On the 23rd of December our Ambassador reached Ajmir, where the Court was established; having been previously met on the way by Mr. Edwardes, the Agent at the Durbar and head of the factory, accompanied by Coryate and others.

Jehangir, who was at that time the ruler of Hindostan, had been on the throne about ten years, and, although his age was then only about fifty, his health had been materially affected by an inordinate use of wine, and his death was an event speculated on as one of early occurrence; various intrigues were consequently on foot having reference to the probable succession. The person possessing the greatest influence over the Padshah was the famous Nur Jehan or—as she is better known to the English reader—“Noormahal,” celebrated for her romantic career, her beauty and her talents. Her brother Asof Khan was the principal minister and most powerful subject. The Emperor’s eldest son Khusru, who had been in rebellion at the period of his father’s succession to the throne, had since that time been a close prisoner, but carried about with the Emperor in all his campaigns and royal progresses. Of him Roe frequently speaks in terms of interest and compassion, under the title of *Sultan Corseronne*. The second son Parviz was, as we have seen, in nominal command of the Deckan Army, at Burhanpur; he was a young man of limited ability, little education, and very dissipated habits. The third son Khurram, whom Roe calls both *Caroone* and *Carroune*, but who is best known by his subsequent title of *Shah Jehan*, was at the court, and warily playing his game for the succession, supported at this time by Nur Jehan, and then as after, by Asof Khan, whose daughter he had married, and to whom he finally owed his throne.

Jehangir had succeeded to an extensive and tolerably consolidated empire, including Hindostan proper, the Punjab, Kashmir, Kabul, Kandahar, Scinde, Guzerat, Behar and Bengal; but the Kingdoms of the Deckan south of the Taptee still preserved an uncertain independence. The conquest of many of these provinces was however recent, and the viceroys of the more distant governments frequently exhibited but lax obedience, whilst all were ready to throw off even the pretence of subjection whenever opportunity offered; a feeling of insecurity pervaded the whole empire; those in authority made the most of their time and opportunity, oppression was general, and the mass of the people were steeped in poverty, whilst the nobles accumulated and made a great display of wealth, and all kept up a large military following, as well for security as for state. The best and most trustworthy subjects were the Rajput Rajahs, whom Akbar had brought under subjection, and then attached to himself by liberality and family connections. Jehangir’s mother was a Rajputni Princess of the house of Marwar, and he had himself married a sister of Man Singh the Jeipore Rajah; she was the mother of the unfortunate Khusru; whilst the latter also was married to a Rajputni, of whose affection and fidelity in adherence to him and sharing his imprisonment, Roe gives an interesting account.

Sir Thomas appears to have entertained a favourable opinion of Jehangir's disposition and ability, when not acting under the influence of Nur Jehan or other advisers; but at the same time he narrates numerous instances of cruelty, meanness and childish folly on the part of the Padshah. Of the unfortunate Khusru he is quite a partizan, although he saw but little of him; but of Prince Khurram or Shah Jehan—which latter title was conferred upon him during the father's life-time and whilst Roe was at the Court,—he speaks in far from favourable terms. He describes him as proud and haughty in manner, exceedingly bigoted, feared rather than respected; "flattered by some, envied by others, loved by none." But yet he is admitted to be a man of ability and prudence, as also of business habits.

Such was the new and strange world in which the English Ambassador now found himself.

He had been suffering from illness during the whole of his march from Burhanpur; which, with the fatigue and exposure of the journey, confined him to his bed for some days after his arrival at Ajmir; but having sufficiently recovered, on the 10th of January, 1616, he was presented to the Padshah in open Durbar, and delivered his letters and presents. He had previously stipulated that he was not to perform any prostrations or go through any degrading or undignified ceremony; and although Jehangir was excessively particular in enforcing amongst his own subjects the custom of prostration and kissing the ground, introduced by Akbar, he appears to have made no difficulty about dispensing with it on this occasion, and consented to Sir Thomas adopting the same forms of salutation and respect as practised at the Court of his own Sovereign. On this point Sir Thomas appears to have been very resolved, and his prudent and dignified firmness prevented difficulties and objections that would have been thrown in the way of a less determined representative.

The account of this first interview we give in his own words:—

"At the Durbar I was led right before him, at the entrance of an outward raile, where met mee two principall noble slaves to conduct me nearer. I had required before my going, leave to use the customes of my country, which was freely granted, so that I would performe them punctually. When I entered within the first raile, I made a reverence; entering in the inward raile, another; and when I came under the King a third. The place is a great Court, whither resort all sorts of people. The King sits in a little Gallery overhead; Ambassadors, the great men and strangers of quality within the innermost raile under him, raised from the ground, covered with canopies of velvet and silke; under foote laid with good carpets: the meaner men representing gentry, within the first raile: the people without in a base court,

but so that all may see the King. This sitting out hath so much affinity with a theatre, the manner of the King in his gallery, the great men lifted on a stage, as actors, the vulgar below gazing on, that an easie description will enforme of the place and fashion. The King prevented my dull interpreter, bidding me welcome, as to the brother of my master. I delivered his Maiesties letter translated; and after, my commission, whereon he looked curiously; after, my presents, which were well received. He asked some questions; and with a seeming care of my health, offered me his physicians, and advising me to keepe my house till I had recovered strength, and if in the interim I needed any thing, I should freely send to him and obtaine my desires. He dismissed me with more favour and outward grace, if by the Christains I were not flattered, then ever was shoven to any Ambassador either of the Turke or Persian, or other whatsoever."

Of the presents that which gave the greatest satisfaction was the state carriage,—“a gallant Caroch of 150 pounds price”—which the Padshah got into and examined all over, causing it to be drawn about the Durbar. It affords a proof of the skill of the native workmen at that period, that in a few weeks they had made several other carriages from this model, equal in workmanship, but much more handsomely fitted up inside. There were also pictures of King James, his Queen and daughter, of several celebrities and beauties of the English Court, and one of Sir Thomas Smith, the Governor of the East India Company. These appear to have been appreciated; and it may surprise some of our readers to learn, not only that some of these were copied so exactly by the Padshah's order that Sir Thomas could not at first distinguish the copies from the original, but that the monarch and his courtiers generally were good judges of painting. On this subject Sir Thomas writing to the Directors—relative to fitting presents to be sent—recommends “Historical paintings, night-pieces and landscapes, but good, for they understand them as well as we.”

On the 22nd, Sir Thomas visited Prince Khurram, previously stipulating for the same ceremonial conditions that had been conceded by Jehangir. Of this visit also we will let him give his own account :—

“The two and twentieth, I visited the Prince, who at nine in the morning sits out in the same manner (as his Father) to despatch his business, and to be seene of his followers. He is proud naturally, and I feared my entertainment. But on some occasion he not resolving to come out, when he heard of my arrivall, sent a principall Officer to meete me, who conducted mee into a good roome (never before done to any) and entertained mee with discourse of our owne business halfe an houre untill the Prince was ready, who came abroad on purpose, and used mee better then his promise. I

delivered him a present, such as I had, but not in the name of his Maiestie, it being too meane; but excused it, that the King could not take knowledge of his being Lord of Surat so lately conferred on him, but hereafter I doubted not his Maiestiy would send to him according to his worth. This was the respect of the merchants who humbly commended themselves to his favour and protection. He received all in very good part; and after opening of some grievances and injuries suffered at Surat by us from his Governours, of which for respect to him I had forborne to complaine to the King, hee promised mee speedie and effectuall justice, and to confirme our securitie by any propositions I should offer, professing to be ignorant of any thing past, but what he had received by Asaph Chan, delivered by mee; especially of any command to dismisse us, which the Governour had falsely coyned, and for which he should dearely answers. So he dismissed me, full of hope to rectifie the decayed state of our reputation, with promise of a Firman for Surat effectually."

On the 24th he again visited the Padshah and entered more fully into matters of business, requesting a new firman and treaty, and protection against the Governors of Surat and Ahmedabad, all of which was promised. The substance of the proposed treaty, which, after much difficulty and delay, was finally obtained, was to the following effect. That there should be a perpetual league and friendship between the Padshah and the King of Great Britain; that British subjects should have liberty to trade and establish factories in any parts of the Empire, including Surat, Scinde and Bengal: that they should be furnished with provisions and carriage at the ordinary rates of charge; that they should be protected against exactions, and not subjected to custom on sales not exceeding the amount of sixteen reals of eight; that all presents to the Padshah should be protected from being opened at the sea-ports, but should be forwarded to the English Ambassador at Court, to be delivered according to his instructions:—that all goods should be rated within six days after being landed, and that after payment of the stipulated duty they should pass free to any other English Factory:—that all purchases made by the British merchants should have free transit to the port of shipment:—that the property of the Company's servants who might die in the country should be made over to the Company's Agents:—that all provisions for the shipping should be free of duty:—that to obviate dispute, a special firman should be issued, clearly explaining and confirming the English privileges, and that copies of this firman should be forwarded to all officers at the ports. It was further stipulated that the duty on English imports should be fixed at three and a half per cent., and on reals of eight (the bullion in general use) at two per cent. only. Also that mutual assistance should be given against the enemies of the contract-

ing parties. And lastly—at the request of King James—that the Portuguese should be included in this treaty, provided they acceded to the terms within six months after due notification to the Viceroy at Goa.

Although it was a matter of no little difficulty to adjust the terms of this treaty, and finally to obtain the Imperial acceptance and signature, very much yet remained to be done. Without the signature of Prince Khurram and the Minister, Asof Khan, the document was merely an useless form, and they had not only to be conciliated and bribed—a necessary and invariable course in carrying through any measure, however simple or unobjectionable,—but their personal interests, as also those of Mokuirib Khan, and Zulfikar Khan, the Governors of Surat and Ahmedabad, and others of their friends and partizans, were strongly arrayed against the proposed measures. The Portuguese also were very active in their opposition to arrangements that would tend to transfer the commerce of Western India from their own hands into those of their dreaded rivals, the English. The intrigues of their agents were consequently directed to frustrate the Ambassador's objects; in which they nearly succeeded by a lavish distribution in high quarters of "divers rubies, ballaces, emeralds and jewels," which, Sir Thomas observes, "so much contented the King and his great men that we were for a time nearly eclipsed."

Moreover, as time wore on and Sir Thomas' sound and liberal views regarding the best mode of conducting the commerce of India—so as to prove of the greatest benefit to his own country and Government—were developed, the Agents of the East India Company became alarmed for the existence of their monopoly. Added to this, he steadily and consistently opposed the plans of the Surat Agency for the establishment of a factory in Persia, which they considered an interference with their authority; and, which was still more galling, he honestly and loudly inveighed against the inefficiency of some of the agents employed, and still more against their general dishonesty and rapacity. This raised up many enemies amongst his own countrymen, whilst the misconduct of others was a continued source of annoyance, and frequently obstructed his arrangements. Lastly, he had to contend with—at such a Court—the most serious disadvantage of having come very inadequately provided with presents, and with but limited funds at his disposal to smooth the way in his difficult career of diplomacy.

His journal is chiefly occupied with details of his interviews with the Padshah, his son Khurram or Shah Jehan, and the Minister Asof Khan, and with the narrative of the numerous and continued intrigues of the two latter to defeat his objects. It would be wearisome to follow him through this tangled and disgusting scene of folly and falsehood, but as an illustration of his difficulties

and position we quote his own account of one amongst the scenes that occurred in the early part of his mission, which affords a sample of the state of affairs at the Durbar, and shows how much he had to contend with; his ignorance of the language and the want of a good and trustworthy Interpreter not being amongst the least of his difficulties:—

“ The thirteenth at night I went to the Gussell Chan, where is best opportunitie to doe businesse, and tooke with me the Italian, determining to walke no longer in darknesse, but to proove the King, being in all other wayes delayed and refused: I was sent for in with my old Broaker, but my Interpreter was kept out; Asaph Chan mistrusting I would utter more then he was willing to heare. When I came to the King, he appointed me a place to stand just before him and sent to aske mee many questions about the King of England, and of the present I gave the day before; to some of which I answered, but at last I said, my Interpreter was kept out, I could speake no Portugall, and so wanted means to satisfie his Majesty, whereat (much against Asaph Chan's desire) he was admitted. I bad him tell the King, I desired to speake to him; he answered, willingly: whereat Asaph Chan's sonne-in-law pulled him by force away, and that faction hedged the King so, that I could scarce see him, nor the other approach him. So I commanded the Italian to speake aloud, that I craved audience of the King, whereat the King called me, and they made me way. Asaph Chan stood on one side of my Interpreter, and I on the other: I to enforme him in mine owne cause, he to awe him with winking and jogging. I bad him say, that I now had been here two moneths, whercof more than one was passed in sicknesse, the other in compliments, and nothing effected toward the ende for which my Master had employed mee, which was to conclude a firme and constant love and peace between their Maiesties, and to establish a faire and secure trade and residence for my countreyemen. He answered, that was already granted. I replied it was true, but it depended yet on so light a thred, on so weake conditions, that being of such importance, it required an agreement cleare in all points, and a more formall and authentique confirmation, then it had by ordinary Firmans, which were temporary commands, and respected accordingly. He asked me what presents we would bring him. I answered the league was yet new, and very weake: that many curiosities were to be found in our country of rare price and estimation, which the King would send, and the merchants seeke out in all parts of the world, if they were once made secure of a quiet trade and protection on honourable conditions, having been heretofore many wayes wronged.

“ He asked what kind of curiosities those were I mentioned, whether I meant jewels and rich stones. I answered, no; that we did not think them fit presents to send backe, which were brought first from these parts, whereof he was chiefe Lord; that we esteemed them common here and of much more price with us, but that we sought to finde such things for his Maiestie as were rare here and unseene, as excellent artifices in painting, carving, cutting, enamelling, figures in

brasse, copper, or stones, rich embroyderies, stufes of gold and silver. He said it was very well; but that hee desired an English horse: I answered, it was impossible by sea and by land; the Turke would not suffer passage.

"He replied, that hee thought it not impossible by sea; I told him the dangers of stormes and varietties of weather would proove it: he answered, if sixe were put into a ship, one might live; and though it came leane, he would fat it: I replied, I was confident it could not be in so long a voyage, but that for his Maiesties satisfaction, I would write to advise of his request. So he asked, what was it then I demanded? I said, that hee would bee pleased to signe certaine reasonable conditions, which I had conceived for the confirmation of the league and for the securitie of our nation, and their quiet trade, for that they had bene often wronged, and could not continue on such termes, which I forbore to complain of, hoping by faire means to procure amendment. At this word, Asaph Chan offered to pull my Interpreter; but I held him, suffering him onely to winke and make unprofitable signes.

"The King hereat grew suddenly in to choller, pressing to know who had wronged us, with such shew of fury, that I was loath to follow it, and speaking in broken Spanish to my Interpreter to answer, that with what was past I would not trouble his Maiestie, but would seeke justice of his sonne, the Prince, of whose favour I doubted not. The King, not attending my Interpreter but hearing his sonnes name, conceived I had accused him, saying *mio Filio, mio Filio* and called for him; who came in great feare, humbling himself: Asaph Chan trembled and all of them were amazed. The King chid the Prince roundly and he excused himself, but I perceiving the King's error, made him (by meanes of a Persian Prince, offering himselfe to interpret, because my Italian spake better Turkish then Persian and the Prince both) understand the mistaking, and so appeased him, saying, I did no way accuse the Prince, but would in causes past in his Government, appeale to him for justice, which the King commanded hee should doe effectually. The Prince for his justification, told the King he had offered me a Firman, and that I had refused it, demanding the reason: I answered, I humbly thanked him, but he knew it contained a condition which I would not accept of; and that further I did desire to propound our owne demands wherein I would containe all the desires of my Master at once, that I might not daily trouble them with complaints, and wherein I would reciprocally bind my Sovereigne to mutuall offices of friendship, and his subjects to any such conditions, as his Majesty would reasonably propound, whereof I would make an offer, which being drawne tripartite, his Majesty (I hoped) would signe the one, the Prince the other, and in my Masters behalfe I would firme the third. The King pressed to know the conditions I refused in the Princes Firman, which I recited; and so we fell into earnest dispute and some heate. Mocrib Chan enterposing, said he was the Portugals advocate, speaking slightly of us, that the King should never signe any Article against them. I answered, I propound none against them, but in our owne just de-

fence; and I did not take him for such a friend to them: the Jesuit and all the Portugals side fell in, in so much that I explained mysele fully concerning them; and as I offered a conditionall peace, so I set their friendship at a mean rate, and their hatred or force at lesse. The King answered, my demands were just, resolution noble, and bad me propound. Asaph Chan that stood mute all this discourse and desired to end it, least it breake out againe (for we were very warme) enterposed, that if wee talked all night it would come to this issue, that I should draw my demands in writing, and present them, and if they were found reasonable, the King would firme them: to which the King replied, yes: and I desired his sonne would doe the like, who answered he would; so the King rose. But I calling to him, he turned about, and I bad my Interpreter say, that I came the day before to see his Majestie, and his greatnesse, and the ceremonies of this feast, that I was placed behind him, I confessed with honour, but I could not see abroad; and that therefore I desired his Maiestie to licence me to stand up by his throne; wherat he commanded Asaph Chan to let mee choose my owne place."

With regard to the objects of his mission it will be sufficient to say that, after a weary two years of struggle, Sir Thomas having purchased the support of Nur Jehan and her brother Asof Khan, —the latter being secured by the present of a large and valuable pearl,—succeeded in obtaining the full confirmation of his treaty from all the parties concerned, together with other privileges, and firmans for the recovery of large debts due by the native officials to the Company and their agents at Surat, Ahmedabad and Cambay.

Sir Thomas's account of the scenes in which he participated at the Durbar is amusing and valuable, as the evidence of an honest and intelligent witness relative to the habits, forms and customs of the Court and Camp at that period, when the Mogul Empire was nearly at the zenith of its prosperity and splendour. It shows how little it differed, save in wealth and power, from the Native Courts of more modern date. He dwells continually on the same exhibitions of display and meanness, childishness and intrigue, cruelty and weakness, rigid formalities and gross ignorance, which constitute the record of more recent travellers, who have visited the Durbars of the descendants of Jehangir, or of the independent successors of his powerful Viceroys.

Of the Padshah's Court and mode of life he gives the following account:—

"The King hath no man but eunuchs that comes within the lodgings or retyring roomes of his house: his women watch within, and guard him with manly weapons; they doe justice one upon another for offences. Hee comes every morning to a window called the Jaruco, looking into a plaine before his gate; and shewes himselfe to the common people. At noone he returns thither, and sits some houres

to see the fight of elephants and wilde beasts. Under him within the raile attend the men of ranke ; from whence he retires to sleep among his women. At afternoone he returns to the Durbar before mentioned. At eight after supper he comes downe to the Guzelcan, a faire Court, wherein in the middest is a Throne erected of free stone, wherein he sits, but sometimes below in a chaire, to which are none admitted but of great quality, and few of these, without leave, where hee discourses of all matters with much affabilitie. There is no businesse done with him concerning the State, Government, disposition of war or peace, but at one of these two last places, where it is publickely propounded and resolved and so registered ; which if it were worth the curiositie, might be seene for two shillings : but the common base people knew as much as the Counsel, and the newes every day, is the Kings new resolutions, tossed and censured by every rascall. This course is unchangeable, except sickneesse or drinke prevent it ; which must be knowne, for as all his subjects are slaves, so is he in a kind of reciprocall bondage ; for he is tyed to observe these houres and customs so precisely, that if he were unseene one day and no sufficient reason rendered, the people would mutinie ; two days no reason can excuse, but that he must consent to open his doores and be seene by some to satisfie others. On Tuesday at the Jaruco he sits in judgment, never refusing the poorest man's complaint, where he heares with patience both parts, and sometimes sees, with too much delight in blood, the execution done by his elephants. *Illi meruere, sed quid tu ut adesses.*"

Of the celebrated ceremonies of the Noroz or New Year, and of the Padshah's Birth-day, Sir Thomas gives a gorgeous picture, although he sees and points out the hollowness that a close examination has always exhibited in these spectacles, but which has often escaped the notice of less discriminating observers.

The following is his account of the first feast of Noroz that he witnessed :—

"The second March, the Noroze began in the evening. It is a custome of solemnizing the new yeare, yet the ceremonie begins the first new moone after it, which this yeare fell together ; it is kept in imitation of the Persians feast, and signifies in that language nine days, for that anciently it endured no longer, but now it is doubled. The manner is, there is erected a throne foure foote from the ground, in the Durbar Court, from the backe whereof to the place where the King comes out, a square of fiftie-sixe paces long and fortie-three broad was rayled in and covered over with faire Semianes or Canopies of Cloth of Gold, Silke or Velvet, joyned together, and sustained with canes so covered : at the upper end, West, were set out the pictures of the King of England, the Queene, the Lady Elizabeth, the Countesses of Somerset and Salisbury, and of a Citizens wife of London, below them another of Sir Thomas Smith, Governor of the East India Companie : under foot it is laid with good Persian carpets of great largenesse ; into which place

come all the men of qualitie to attend the King, except some few that are within a little rayle right before the throne, to receive his commands ; within this square there were set out for shew many little houses, one of silver, and some other curiosities of price. The Prince, Sultan Coronne, had at the left side a Pavillion, the supporters whereof were covered with silver, as were some of those neare the Kings throne. The forme thereof was square, the matter wood, inlayed with mother of pearle, borne up with feure pillars, and covered with cloth of gold ; about the edge overhead like a valence, was a net fringe of good Pearle—upon which hung downe pomegranats, apples, pearces, and such fruits of gold, but hollow : within that the King sate on cushions very rich in Pearles, and jewels ; round about the Court, before Throne the principale men had erected tents, which encompassed the Court, and lined them with velvet, damaske, and taffatas ordinarily, some few with cloths of gold, wherein they retired, and sat to shew all their wealth ; for anciently the Kings were used to go to every tent, and there take what pleased them, but now it is changed, the King sitting to receive what new yeares gifts are bought to him. Hee comes abroad at the usual houre of the Durbar, and retires with the same : then are offered to him by all sorts great gifts, though not equall to report yet incredible enough ; and at the end of this feast, the King in recompence of presents received, advanceth some and addeth to their entertainment some horse at his pleasure."

The details of the second Birth-day festival, which Sir Thomas witnessed, and which took place at Manda, form a fitting pendant to the foregoing :—

" The first of September was the Kings birth day, and the solemntie of the weighing, to which I went, and was carried into a very large and beautifull garden, the square within all water, on the sides flowers and trees, in the midst a Pinacle, where was prepared the scales, being hung in large tressels, and a cross beame plated on with gold thinne : the scales of massie gold, the borders set with small stones, rubies and turkeys, the chaines of gold large and massie, but strengthened with silke corde. Here attended the nobilitie all sitting about it on carpets untill the King came, who at last appeared clothed, or rather laden with diamonds, rubies, pearles, and other precious vanities, so great, so glorious ! His sword, target, and throne to rest on, correspondent ; his head, necke, breast, armes above the elbows, at the wrists, his fingers every one, with at least two or three rings ; fettered with chaines, or dyalled diamonds, rubies, as great as walnuts, some greater ; and pearles such as mine eyes were amazed at. Suddenly hee entered into the scales, sate like a woman on his legges, and there was put in against him, many bagges to fit his weight, which were changed sixe times, and they say was silver, and that I understood his weight to be nine thousand Rupias which are almost one thousand pound sterling : after with gold and jewels, and precious stones,

but I saw none, it being in bagges might bee pibles : then against cloth of gold, silke, stuffes, linnen, spices and all sort of goods ; but I must believe, for they were in fardles ; lastly against meale, butter, corne, which is said to be given to the Banians and all the rest of the stuff : but I saw it carefully carryed in, and none distributed. Onely the silver is reserved for the poore, and serves the ensuing yeare, the King using in the night to call for some before him and with his owne hands in great familiaritie and humilitie to distribute that money. The scale he sat in by one side, he gazed on me, and turned me his stones and wealth, and smiled, but spake nothing, for my Interpreter could not be admitted in. After he was weighed he ascended his Throne, and had basons of nuts, almonds, fruits, spices, of all sorts, made in thinne silver, which he cast about, and his great men scrambled prostrate upon their bellies : which seeing I did not, he reached one bason almost full, and powered into my cloke ; his noblemen were so bold as to put in their hands, so thicke that they had left me none, if I had not put a remayner up. I heard he threw gold till I came in, but found it silver so thinne that all I had at first, being thousands of severale pieces, had not weighed sixtie Rupias. I saved about twentie Rupias weight, yet a good dishful, which I keepe to shew the ostentation ; for by my proportion he could not that day cast away above one hundred pound sterling. At night he drinketh with all his nobilitie in rich plate ; I was invited to that, but told I must not refuse to drinke, and their waters are fire. I was sicke and in a little fluxe of blood, and durst not stay to venture my health."

In the published portions of the Ambassador's journal we do not find any account of the personal appearance of Jehangir ; but Coryate describes him at the time of his visit as " a man of three and fiftie years of age, of complexion middle between white and black, or in a more expressive epitheton, olive ; of a seemly composition of body," and of medium stature but corpulent. Sir Thomas however gives a remarkable sketch of his religious condition ; after alluding to the lax opinions of Akbar on this subject, who at one time contemplated establishing a new religion with himself as its head, he observes that Jehangir " being the issue of this new fancie and never circumcised, bred up without any religion at all, continues so to this houre and is an Atheist." He describes him as very liberal not only in his own opinions but towards those of others, and with an equal dislike to proselytism and apostacy. " He is content with all religion, only he loves none that changeth." He is represented as observing all the festivals of the Hindoos, and invariably paying marked respect to the Christian doctrines, granting perfect freedom of worship ; ample privileges to the ministers and followers of that faith, both Protestant and Catholic, and frequently encouraging disputations between the professors of dif-

ferent creeds "often casting out doubtfull words of his conversion, but to wicked purpose." He further mentions that Jehangir sent two of his own nephews to a school kept at Agra for some years by Francisco Corsie, a Portuguese priest, where they were not only taught the Portuguese language, but instructed in the Christian religion, and finally "were solemnly baptised in the church of Agra with great pomp, being carryed first up and down all the Citie on elephants in triumph, and this by the King's expresse order, who often would examine them in their progression and seemed much contented in them." Sir Thomas adds, however, that many considered this a measure of policy intended to render the young Princes—who might at any time become rivals and aspirants for the throne—odious and incapacitated for Government in the eyes of a Mahomedan population.

Of His Majesty's predilection for the forbidden juice of the grape the Ambassador gives numerous instances: in fact his journal contains a prolonged record of Royal dissipation and inebriety, often attended with serious consequences. The nature and qualities of the various European wines and liquors was a favourite topic with the Padshah, who was very minute and particular in his enquiries as to the process of manufacture, the sources and quantity of supply, the facilities and cost of importation. His sons all appear to have inherited the Royal taste in this respect. Sir Thomas, in alluding to the description of presents most suitable to send to the Durbar, especially recommends a large supply of Alicant and several cases of red wine: he mentions how very acceptable the small stock he had brought with him had proved both to the Padshah and his son, on which subject he observes "never were men so enamoured of drink as these two," and he goes on to say that "such a present they would more highly esteeme then all the jewells of Chepeside." But however freely the Padshah himself may have thought fit or agreeable to indulge in the use of wine, his subjects, even the highest, were prohibited from following his example except with special sanction or by invitation; neither did he approve of any allusion to the regal *penchant* at other than social hours and meetings. A dereliction from this courtly etiquette was severely visited on those concerned, an instance of which, on the occasion of a party given in honor of Mahomed Rosa Beg, who had recently arrived as Ambassador from Shah Abbas, the monarch of Persia, is thus narrated by Sir Thomas:—

"The King returned at evening, having been over-night farre gone in wine; some by chance or malice spoke of the merry night past, and that many of the Nobilitie dranke wine, which none may doe but by leave. The King forgetting his order demanded who gave it; it

was answered, the Buxie (for no man dares say it was the King when he would onely doubt it.) The custome is, that when the King drinke (which is alone) sometimes hee will command that the nobilitie shall drinke after, which if they do not it is an offence too, and so that every man who takes the cup of the wine of the officers, his name is written, and he makes *Teselim* though perhaps the King's eyes are mystie. The King not remembering his own command called the Buxie; and demanded if he gave the order. He replied No, (falsely; for he received it and by name called such as did drinke with the Embassadour) wherat the King called for the list and the persons, and fined some one, some two, some three thousand rupias, some lesse, and some that were neerer his person, he caused to be whipped before him, receiving one hundred and thirtie stripes with a most terrible instrument, having at each end of foure cords, irons like spur rowels, so that every stroke made foure wounds. When they lay for dead on the ground he commanded the standers by to foot them, and after the Porters to breake their staves upon them. Thus most cruelly mangled and bruised, they were carried out, of which one dyed in the place. Some would have excused it on the Embassadour, but the King replied hee onely had give him a cup or two. Though drunkennesse be a common and a glorious vice and an exercise of the Kings, yet it is so strictly forbidden, that no man can enter into the *Guselchan* where the King sits, but the porters smell his breath; and if hee have but tasted wine is not suffered to come in; and if the reason be knowne of his absence, he shall with difficultie escape the whip; for if the King once take offence, the father will not speake for the sonne. So the King made the companie pay the Persian Embassadour's reward."

Sir Thomas gives a detailed account of the reception of this Persian Ambassador, and draws a satisfactory and agreeable comparison between the conduct and reception of the latter and himself. The Persian was profuse in his prostrations, his *Teselims* and *Sizedahs*, whilst Sir Thomas, prudently as well as honorably, refused to comply with any demands for abject forms of respect, or in fact to do more than would be required from him at his own Court in the presence of his own sovereign. The good policy of this line of conduct was evinced in the respect generally paid to him, the high position accorded him in the *Durbar*, and the ultimate success of his mission; whilst the Persian Envoy was placed from the commencement in a lower position, and although he brought a liberal and handsome supply of presents, was, after his introduction, treated with neglect and contempt, and finally returned to Persia, thoroughly disgusted with his reception and the complete failure of his mission.

But to conclude the summary of the Padshah's character, as exhibited in the glimpses with which Sir Thomas favors us, we

must not omit to notice the indications of cruelty, or at least of all absence of feeling, which is apparent on many occasions; for instance, in alluding to a little anecdote of Court scandal we find :—

“ This day a Gentle-woman of Normall's was taken in the King's house in some action with an eunuch : another Capon that loved her, killed him : the poore woman was set up to the armpits in the earth, hard rammed, her feet tied to a stake, to abide three days and two nights without any sustenance, her head and armes exposed to the sunne's violence ; if shee dyed not in that time, shee should be pardoned : the eunuch was condemned to the elephants. This damsell yielded in pearles, jewels, and ready money, sixteene hundred thousand Rupies.”

Again when on the line of march he observes :—

“ I remooved foure course to *Ramsor*, where the King had left the bodies of an hundred naked men slaine in the fields for robbery.”

And on another occasion he says :—

“ I overtooke in the way a camell laden with three hundred men's heads sent from Candahar, by the Governor in present to the King, that were out in rebellion.”

In the earlier part of his visit he recounts the following instance :—

“ A hundred thieves were brought chained before the Mogul with their accusation : without further ceremony, as in all such cases is the custom, he ordered them to be carried away, the chiefe of them to be torne in pieces by dogges, the rest put to death. This was all the process and form. The prisoners were divided into several quarters of the town, and executed in the streets, as in one by my house ; where twelve dogges tore the chiefe of them in pieces, and thirteen of his fellowes having their hands tied down to their feet, had their necks cut with a sword, but not quite off, being so left naked, bloody and stinking, to the view of all men and the annoyance of the neighbourhood.”

Such was the character of the monarch and his courtiers as described by the Ambassador, whose views are fully borne out and repeated by Coryate and Terry, both of whom were at the Durbar at the same time.

From December 1655, to November following, Sir Thomas Roe remained with the Court at Ajmir conducting his difficult negociation. During that period he appears to have made several friends, especially Jemal-u-din Hussein, formerly Subahdar of Behar, and subsequently appointed Viceroy in Scinde. With this venerable nobleman, whom he describes as “ of more

understanding and courtesie than all his countrymen, and to be esteemed hospitable, and a receiver of strangers, not scanty ambitious," he had many friendly and social meetings and conversations, obtaining much information regarding the condition of the empire and the objects of the different parties in the state, and also some valuable hints and counsel as to his own proceedings. From the Shah himself he received marked and continued attention, being constantly invited to the Royal drinking bouts, and always kindly noticed and placed in a high and honorable position whenever he attended the Durbār: moreover he was frequently presented with the whole or portion of a deer or wild hog, the result of the Royal chase. From Prince Khurram he met with general coldness, and occasional incivility and active annoyance; especially on one occasion, when an English boy named Jones, a domestic of the Ambassador, having committed some fault and fearing punishment, left the embassy and took refuge with an Italian living at Ajmir. When the Prince heard of this—being at the time very irate with Sir Thomas for complaining against his protégé, Zulfikar Khan, Governor of Surat,—he took the boy under his protection and into his service, giving him a present of a hundred and fifty rupees and the monthly pay of two horsemen, and instructed him to set his master at defiance when he claimed him. But the poor lad shortly repenting of his conduct, confessed his fault and intreated pardon in the presence of the Padshah, who ordered him to be restored to his master without further injury or molestation, upon which the Prince, being exceedingly enraged, had the meanness to claim the refund of the present he had made the lad.

On the 20th of August, Ajmir was visited by one of those tremendous storms of rain, to which, on the Western coast, the Europeans had given the name of the *Elephant*; of this he gives the following description:—

"The twentieth day and the night past, fell a storme of raine called the *Oliphant*; usual at going out of the raines, but for the greatnesse very extraordinary; whereby there ran such streames into the Tanke whose head is made of stone, in shew extremely strong, but the water was so growne that it breake over in one place, and there came an alarme and sudden feare, that it would give way and drowne all that part of the Towne where I dwelt, in so much that the Prince and all his women forsooke their house, my next neighbour carryed away his goods and his wife on his elephants and camels to flye to the hill side. All men had their horses ready at their doores, to save their lives, so that we were much frightened and sat up till midnight, for that we had no help but to flye ourselves and loose all our goods, for it was reported that it would run higher than the top of my house by three foot, and carry all away, being poore muddy buildings,

Fourteene yeares past, a terrible experience having showed the violence; the foot of the Tanke being leuell with our dwelling and the water extreame greate and deepe, so that the top was much higher than my house, which stood in the bottome in the course of the waters, every ordinary raine making such a current at my doore, that it runne not swifter in the arches of London bridge, and is for some houres impassible by horse or man. But God otherwise disposed it in his mercy: the King caused a sluice to be cut in the night to ease the water another way; yet the very raine had washed downe a great part of the walls of my house, and so weakened it by divers breaches, in that I feared the fall more than the flood, and was so moyled with dirt and water that I could scarce be dry or safe: for that I must be enforced to be at new charge, in reparation. Thus were we every way afflicted, fires, smokes, floods, stormes, heats, dust, flies, and no temperate or quiet season."

During the residence of the Court at Ajmir the intrigues and influence of Prince Khurram aided by Asof Khan, Nur Jehan and their father Etimad Dowlah, obtained from the Padshah an order for the transfer of Sultan Parviz to the charge of Bengal, and the appointment of Sultan Khurram to the Government of the Dockhan. But previous to the departure of the latter for his new command, he was invested by his father with the title of Shah Jehan, by which he was thenceforth designated, and which was understood as equivalent to his nomination as successor to the throne. Further to insure his authority, and guard him against supposed attacks from his elder brother Khusru, the latter unfortunate prince was handed over to Shah Jehan's custody, the natural result of which was the subsequent opportune death of the unfortunate victim. The opposition that Roe experienced from Shah Jehan has evidently tinged his views regarding the character of that prince, and he insinuates one circumstance connected with his feelings and conduct, which we do not remember to have noticed in any other cotemporary writer, and which is not borne out by the subsequent conduct of the parties, viz., that Shah Jehan was himself in love with his step-mother Nur Jehan.

The following is the passage referred to:—

"The Prince sate in the same magnificence, order and greatnesse that I mentioned of the king. His throne being plated over with silver, inlaid with flowers of gold, and the canopie over it square, borne on foure pillars covered with silver; his armes, sword, buckler, bowe, arrowes, and launce on a table before him. The watch was set, for it was evening when he came abroad. I observed now he was absolute and curious in his fashion and actions: he received two letters, read them standing, before he ascended his throne. I never saw so settled a countenance, nor any man keepe so constant a gra-

vitie, never smiling, nor in face shewing any respect or difference of men; but mingled with extreame pride and contempt of all; yet I found some inward trouble now and then assaile him, and a kind of brokenesse and distraction in his thoughts, unprovidedly and amazedly answering suitors, or not hearing. If I can judge any thing, he has left his heart among his Father's women, with whom hee hath liberty of conversation. Normahall in the English coach the day before visited him, and took leave, she gave him a cloack all imbroydered with pearles, diamonds and rubies, and carried away, if I erre not, his attention to all other businesse."

Shah Jehan took his departure for the Deckan, on the 1st November 1616, and on the following day Jehangir moved into camp also, with the intention of marching towards Agra.

Of the ceremonies attending his departure, and the state and magnificence exhibited on the occasion, Sir Thomas gives the following gorgeous description:—

"The second, the King removed to his tents with his women and all the Court, about three mile. I went to attend him, comming to the Pallace. I found him at the Jarraco window, and went up on the scaffold under him; which place not having seene before, I was glad of the occasion. On two tressels stood two eunuches with long poles headed with feathers, fanning him; hee gave many favours and received many presents; what hee bestowed hee let downe by a silke, rould on a turning instrument; what was given him, a venerable fatte deformed olde matrone, hung with gymbals like an image, pluckt up at a hole with such another clue; at one side in a window were his two principall wives, whose curiosite made them breake little holes in a grate of reed that hung before it, to gaze on me. I saw first their fingers, and after, lying their faces close now one eye now another, sometime I could discerne the full proportion; they were indifferently white, blacke haire smoothed up, but if I had had no other light, their diamonds and pearles had sufficed to shew them: when I looked up, they retyred and were so merry, that I supposed they laughed at me. Suddenly the King rose and wee retyred to the Durbar and sate on the carpets attending his comming out: not long after he came and sate about half an houre untill his ladies at their doore were ascended their elephantes, which were about fifty, all most richly furnished, principally three with turrets of gold, grates of gold wyre, every way to looke out, and canopies over of cloath of silver. Then the King descended the staires with such an acclamation of Health to the King as would have out-cryed cannons. At the staires foote, where I met him, and shuffled to be next, one brought a mighty carpe, another a dish of white stuffe like starch, into which he put his finger and touched the fish, and so rubbed it on his fore-head; a ceremony used presaging good fortune. Then another came and buckled his sword and buckler, set all over with great diamonds and rubies, the belts of gold suitable: another hung on his quiver with thirty arrowes, and his bow in a case (the same that was presented by

the Persian Ambassadors,) on his head he wore a rich turban, with a plume of herne tops, not many, but long: on one side hung a rubie unset, as bigge as a walnut; on the other side a diamond as great; in the middle an emerald like a heart, much bigger. His shash was wreathed about with a chaine of great pearles, rubies and diamonds drild. About his necke he carried a chaine of most excellent pearle thrice double, so great as I never saw; at his elbowes armelets set with diamonds; and on his wrists three rowes of diamonds of several sorts: his hands bare but almost on every finger a ring; his gloves were English, stucked under his girdle; his coat of cloath of gold, without sleeves, upon a fine semain as thinne as lawne; on his feet a paire of embroydered buskins with pearle, the toes sharpe and turning up. Thus armed and accommodated he went to the coach, which attended him with his new English servant, who was cloathed as rich as any player, and more gaudy and had trained foure horses, which were trapped and harnished in gold velvets. This was the first he ever sate in, and was made by that sent from England, so like, that I knew it not but by the cover, which was a gold Persian velvet. He got into the end, on each side went two eunuches, that carried small maces of gold, set all over with rubies, with a long bunch of white-horse-taile to drive away flies: before him went drummes, ill trumpets and loud musicke, and many canopies, quittusols, and other strange ensignes of Majesty of cloth of gold set in many places with great rubies: nine spare horses, the furniture some garnished with rubies, some with pearles and emeralds, some onely with studs enamelled.

"The Persian Ambassador presented him a horse; next behind him came three palankees, the carriages and feet of one plated with gold, set at the ends with pearles, and a fringe of great pearles hanging in ropes a foote deepe: a border aboute, set with rubies and emeralds. A footman carryed a foot-stoole of gold, set with stones; the other two were covered and lined with cloath of gold. Next followed the English coach, new covered and trimmed rich, which he had given the Queene Normahell, who rode in it: after them a third of this country fashion, which me thought was out of countenance; in it sate his younger sonnes: after followed about twenty elephants royall, spare, for his own ascendings, so rich, that in stones and furniture they braved the sunne. Every elephant had divers flaggs of cloth of silver, gilt satin and taffata. His noblemen hee suffered to walke a foote, which I did to the gate, and left him. His wives on their elephants were carryed like parakitoes half a mile behind him.

"I tooke horse to avoyd presse and other inconvenience, and crossed out of the Leskar before him, and attended until he came neare his tents. He passed all the way betweene a guard of elephants, having every one a turret on his backe; on the foure corners foure banners of yellow taffaty; right before a sling mounted, that carried a bullet as big as a great tennis ball, the gunner behind it; in number about three hundred: other elephants of honor that went before and after about six hundred, all which were covered with velvet or cloath of gold and had two or three gilded banners carried: in the way

runne divers foot-men with skinnes of water that made a continuall showre before him: no horse nor man might be suffered to approach the coach by two furlongs, except those that walked a foot by, so that I posted to his tents to attend his alighting."

Of the royal camp itself he, like all other travellers of the period, writes in great admiration:—

"They were walled in halfe a mile in compasse, in forme of a fort, with divers coynes and bulwarkes, with high Cannats of a course stuffe made like arras, red on the out-side, within which, figures in panes, with a handsome gate house. Every post that bare up these, was headed with top of brasse. In the midst of this Court was a throne of mother of pearle, borne on two pillars raised on earth, covered over with an high tent, the pole headed with a knob of gold; under it canopies of cloath of gold, under-foot carpets. Within this whole raile was about thirty divisions with tents. All the noble-men retired to theirs, which were in excellent formes, some all white, some greene, some mingled, all encompassed as orderly as any house, one of the greatest rarities and magnificences I ever saw. The whole vale showed like a beautiful Citie for that the ragges nor baggage were not mingled."

And again on a subsequent date he writes:—

"I viewed the Leskar, which is one of the wonders of my little experience, that I had seene it finished and set up in foure houres, except some of great men that have a double provision, the circuit being little lesse than twenty English miles, the length some waies three course, comprehending the skirts, and the middle, wherein the streets are orderly and tents joined. Here are all sorts of shops, distinguished so by rule, that every man knowes readily where to seeke his wants, every man of qualitie, and every trade being limited how farre from the king's tents he shall pitch, what ground he shall use, and on what side without alteration, which as it lies together, may equale almost any towne in Europe for greatnesse, onely a musket shot every way no man approacheth the Atassy-kanah royall, which is now kept so strict, that none are admitted but by name; and the time of the Durbar in the evening is omitted and spent in hunting or hawking on tanks by boat, in which the King takes wonderful delight and his barges are remooved on carts with him, and he sits not but on the side of one, which are many times a mile or two over. At the Jarruco in the morning he is seene, but businesse or speech prohibited, all is concluded at night at the Guzelchan, when often the time is prevented by a drowsinesse, which possesseth the King from the fumes of Bacchus."

The demands of the Imperial establishment for carriage were so heavy, that although furnished with an order for what he required, the English Ambassador experienced the greatest difficulty in getting away from Ajmir, and the Persian Ambassador was in

even a worse plight, although he had "fought, chid, brauld, complained and could get no remedy." For some days they were left to comfort each other, until at last the population having found a similar difficulty or manifested a dislike to moving, "the King gave order to fire all the Leskar at Ajmir to compell the people to follow," when Sir Thomas succeeded in purchasing some carriage and joined the Padshah by the end of the month, the Camp having only moved a short distance. His camp equipage and marching establishment appears to have been on a very reduced and inadequate scale, for he says, "I was unfitted with carriage and ashamed of my provision, but five years allowance would not have furnished me with one indifferent suite sortable to others."

On the 6th December, they encamped near the walled town of Godah, which Sir Thomas describes as one of the best built he saw in India, "full of Temples and Altars of Pagods and gentilitial Idolatry, many fountains, wells, tankes and summer-houses of carved stone curiously arched," of which nothing now remains. On the 23rd January, 1617, they reached the famous fort of Rintinbour, where information was received that Malik Amber, the head and soul of the confederacy of the Deckani princes, exhibited but little sign of alarm at the advance of Prince Shah Jehan, and that the Khan-i-Khanan had manifested a spirit of insubordination, not approving of the change from the weak cypher Parviz to the active and ambitious Shah Jehan. This intelligence induced Jehangir to change his plans, more especially as an epidemic, which Roe calls the plague, but which probably was cholera, was then ravaging Agra; so he turned his course southward, and marched slowly *viâ* Ugin to Mandu, in order to be ready to act in support of his son if necessary.

The Camp reached Mandu on the 3rd of March, where after some difficulty Sir Thomas found comfortable quarters in an old tomb, having as he says "found a faire court well walled, and in that a good church or great tombe; it was taken up by one of the King's servants, but I got possession and kept it, being the best within all the wall, but two miles from the King's house, yet so sufficient that a little charge would make it defensible against rains, and save one thousand Rupias, and for aire very pleasant upon the edge of the hill."

Some years ago—if not still visible—the name of Sir Thomas Roe was to be seen on the walls at an old tomb amongst the ruins of Mandu, which however was generally supposed to have been traced there at a much more recent date. If really his autograph, it would tend to prove the antiquity of the English mania for scribbling names.

The greatest inconvenience he experienced was from the scarcity

of water. He was however permitted to draw four loads daily from a well held in possession by one of the Omrahs of the Court. Mandu appears to have been even then in a ruinous condition, and he speaks of lions as being numerous in the neighbourhood, and even coming into the camp. One in particular invaded his residence and carried off his sheep and dogs, and he had to apply for special permission to destroy it, as the slaughter of lions was a royal prerogative.

On the whole he does not speak agreeably of his residence here, for he observes "there was not a misery nor punishment which either the want of Government or the natural disposition of the clime gave us not."

About the period of their reaching Mandu a convoy arrived from Surat, containing presents for the Padshah and other members of the Court, together with various articles which Sir Thomas required for himself and suite, and also to use as presents or *douceurs*, as he might find expedient in the prosecution of his plans.

These presents had unfortunately been delayed some months at Surat, and were finally sent forward on his urgent requisition, placed under the charge of the Reverend Mr. Terry, who having recently arrived from England, was appointed to join the embassy as Chaplain in the place of the Reverend Mr. Hill, who had come out with Sir Thomas, but died at Ajmir in September 1616. Mr. Terry and his convoy fell into the hands of Shah Jehan at Burhanpur, who helped himself to a portion of the merchandize that accompanied, but was compelled to pass on the royal presents intact, Sir Thomas having made a serious complaint to the Padshah when he heard of their detention.

On their arrival at length in camp, instead of being forwarded to the British Embassy for distribution and presentation in the name of King James or the East India Company, they were seized by Jehangir, conveyed to his quarters, and the cases opened and inspected by the monarch himself with childish curiosity and barbarian cupidity. Sir Thomas on hearing of this disgraceful proceeding was excessively indignant, and standing boldly on his privileges and position, protested strenuously against the insult thus offered to his sovereign and himself, upon which he was summoned to Jehangir's presence, who endeavoured to excuse himself and coax the ambassador into good humour. But the whole scene of royal rapacity and folly, as narrated by Sir Thomas, is so curious, and affords so good an illustration of the habits and morality of the Court, that notwithstanding its length we cannot resist laying it before our readers:—

"When I came, with base flattery worse than the theft, or at least to give me some satisfaction, because trouble was in my face, for

otherwise it is no injury heere to bee so used ; he beganne to tell me he had taken divers things that pleased him extreamely well, naming two Cushions embroydered, a folding Glasse and the Dogges, and desired mee not to be discontent, for whatsoever I would not give him, I should receive backe ; I answered, there were few things that I intended not to present him ; but that I took it a great discourtesie to my Sovereigne, which I could not answer, to have that was freely given stayed, and not delivered by my hands to whom they were directed ; and that some of them were intended for the Prince and Normahall, some to lye by me, on occasions, to prepare his Majesties favour to protect us from injuries that of strangers were daily offered, and some for my friends or private use, and some that were the Merchants which I had not to do with all : he answered, that I should not be sad nor grieved that hee had his choyce, for that hee had not patience to forbear seeing them ; hee did mee no wrong in it, for hee thought I wished him first served, and to my Lord the King of England hee would make satisfaction and my excuse : the Prince, Normahall and hee were all one, and for any to bring with me to procure his favour, it was a ceremony and unnecessary, for he would at all time heare me ; that I should be welcome emptie handed, for that was not my fault, and I should receive right from him ; and to go to his sonne, he would returne me somewhat for him ; and for the merchants goods, pay to their content ; concluding I should not be angry for this freedome ; he entended well : I made no reply. Then he pressed me whethere I was pleased or no. I answered his Majesties content pleased me ; so seeing master Terry, whom I brought in with me, he called to him, Padre you are very welcome, and this house is yours, esteeme it so, whensoever your desire to come to me, it shall be free for you, and whatsoever you will require of me, I will grant you.

“ Then he converted himselfe with this cunning unto me, naming all particulars in order. The Dogges, Cushions, Barber’s case you will not desire to have backe, for that I am delighted in them ; I answered no. Then said he there were two Glasse chestes, for they were very meane and ordinary, for whom came they ? I replied, I entended one for his Majestie the other to Normahall. Why then, said hee, you will not aske that I have, being contented with one ? I was forced to yield. Next he demanded whose the Hats were, for that his women liked them. I answered three were sent to his Majesty, the fourth was mine to weare. Then said he you will not take them from me, for I like them, and yours I will returne if you need it, and will not bestow that on me, which I could not refuse. Then next he demanded whose the Pictures were. I answered sent to me to use on occasions, and dispose as my businesse required : so hee called for them and caused them to be opened, examined me of the women, and othere little questions requiring my judgments of them. Of the third Picture of Venus and a Satyre, he commanded my interpreter not to tell me what he said, but asked his Lords what they conceived should be the interpretation or morale of that ; he showed the Satyre’s hornes, his

skinne which was swart, and pointed to many particulars ; every man replyed according to his fancie ; but in the end hee concluded they were all deceived ; and seeing they could judge no better, he would keepe his conceit to himself, reiterating his command to conceale this passage from me, but bade him aske me what it meant. I answered, an invention of the painter to shew his arte, which was poetically, the interpretation was new to me, that had not seen it. Then he called Mr. Terry to give his judgment, who replying, he knew not, the king demanded why hee brought up to him an invention wherein he was ignorant ; at which I interposed that he was a preacher and meddled not with such matters nor had charge of them, only coming in their company, hee was more noted and so named as their conductor.

"This I repeate for instruction to warne the Company and him that shall succed me to be very wary what they send may be subject to no ill interpretation, for in that point this King and people are very pregnant and scrupulous, full of jealousie and trickes ; for that notwithstanding the King conceited himselfe, yet by the passages I will deliver my opinion of this conceit, which (knowing I had never seen the picture, and my ignorance was guiltless) hee would not press hard upon me. But, I suppose, he understood the moral to be a scorne of Asiaticques whom the naked Satyres represented, and was of the same complexion and not unlike, who being held by Venus a white woman by the nose, it seemed that shee led him captive. Yet he revealed no discontent, but rould them up, and told me he would accept him also as a present. For the saddle and some other small toyes, he would fit me with a gift to his sonne, to whom he would write according to promise, so effectually that I should need no sollicitor in my businesses, with as many complements, excuses, professions and protestations as could come from any very noble, or very base minde in either extreme. Yet he left not, but enquired what meant the figures of the beasts, and whether they were sent me to give him. I had understood they were very ridiculous and ill shaped ordinary creatures, the varnish off, and no beauty other then a lumpe of wood. I was really ashamed, and answered, it was not my fault, those that seized them must beare the affront, but that they were not intended for him but sent to shew the formes of certaine beasts with us. He replied quickly, did you thinke in England that a horse and a bull was strange to me : I replied, I thought not of so meane a matter. The sender was an ordinary man in good will to mee for toyes, and what he thought I knew not ; well said the king, I keepe them, and onely desire you to helpe me to a horse of the greatest size. It is all I will expect, and a male and female of mastiffes, and the tall Irish Grey-hounds, and such other dogges as hunt in your lands, and if you will promise me this, I will give you the word of a King, I will fully recompence you, and grant you all your desires.

"I answered, I would promise to provide them, but could not warrant their lives, and if they died by the way, onely for my discharge, their skinnnes and bones should be preserved. Hee gave extraordinary

bowes, layed his hand on his heart, and such kind of gestures as all men will witnesse, he never used to any man, nor such familiarity, nor freedome, nor profession of love. This was all my recompence, that he often desired my content to be merry, that the wrong he had done me, he would royally requite and send me home to my countrey with grace and reward like a gentleman. But seeing nothing returned of what was seized, but words, I desired his Majesty to deliver backe the velvets and silkes, being merchants goods, that they were sent up among mine by his Majesties command, for that by that pretence they escaped the ravine of the Princes officers. So hee gave order to call Master Biddolph to agree with him, and to pay for them to content. Then I delivered a letter I had ready written, contayning my desire for privileges and justice, otherwise I should return as a Fayzneante and disgraced to my sovereigne, and desired some justice for Sulpheckarkans debt lately dead; he replied he would take such order with his sonne for Surat, as I should have no cause to complaine, and that he should cleere it, for which he gave instant order.

“For other places, hee would give me his commands, and every way shew how much he loved me; and to the end I might return to my Master with honour, hee would send me a rich and worthy present with his letter of my behaviours, filled with many prayses, and commanded me to name what I thought would be most acceptable. I answered I durst not crave, it was not our custome nor stood with my Masters honour, but whatsoever he sent, I doubted not would be acceptable from so potent a King, and so much loved of my Lord. He replied, that I thought he asked in jest, to please mee, and that he saw I was yet discontent, but hee conjured me to beleeve hee was my friend, and would at conclusion prove so, and vowed by his head hee spake heartily concerning presents, but I must not refuse for his instruction to name somewhat. This earnestness enforced me to say, if his Majesty pleased I thought large Persian carpets would be fittest; for gifts of cost and value, my Master expected not.

“He answered, he would provide of all sorts and sizes. and adde to them what he thought was fit, that your King may know I respect him. Next having venison of divers sorts before him, he gave me halfe a stagge, with these words, hee killed it himselfe, and the other halfe I should see bestowed on his wives, which was presently cut out in small pieces of foure pounds and sent in by his third sonne, and two women that were called out to divers such mummockes, as if it had been a dole to the poore, and carryed by the Prince bare in his hands. Now I had as much satisfaction, and so abundant grace as might have flattered mee into content, but the injury was above words, though I were glad of these and of colour to dissemble, for hee sent as a conclusion to know if I were pleased, and did not depart discontent. I answered his Majesties favour was sufficient to make mee any amends.

“Then, said he, I have only one question to aske you; which is, I wonder much, now I have seen your presents two yeares, what was

the reason why your King sent a merchant, a meane man, before you with five times as many, and more curious toyes that contented all, and after to send you his Ambassadour with a commission and his letter mentioning presents, and yet that you brought was little, meane, and inferiour to the other. I acknowledge you an Ambassadour, I have found you a gentleman in your usage, and I am annoyed why you were so slightly set out.

"I would have replied, but he cut me off, I know it is not the King's fault nor yours, but I will let you see I esteeme you better than they that employed you. At your return, I will send you home with honour, with reward, and according to your qualitie; and not respecting what you brought me, will like a King present your Lord and Master; onely this I will require from you, and not expect it from the merchants, to take with you for a patterne of a quiver and case for my bow, a coat to weare, cushion to sleepe on, of my fashion, which was at his head, and a paire of boots which you shall cause to bee embroydered in England, of the richest manner, and I will expect and receive them from you, for I know in your country they can work better then any I have seene; and if you send them mee, I am a King, you shall not lose by it; which I most thankfully undertooke [and he commanded Asaph Chan to send me the patternes.] Then he demanded if I had any grape wine, I could not denie it; he desired a taste next night, and if he liked it he would be bold, if not, he desired me to make merrie with it. So spending this night onely on me, he rose."

Such were the annoyances and troubles the English Ambassador had to encounter, and well might he write to the Company. "I must plead against myself that an Ambassador lives not in fit honour here. I would sooner die than be content with the slavery the Persian is content with. A meaner agent would, amongst these proud Moors, better effect your business. My qualitie often for ceremonies either begets you enemies or suffers unworthilie. The King has often demanded an Ambassadour from Spain, but could never obtain one, for two causes, first because they would not give presents unworthy their Kings greatness; next they knew his reception should not answer his qualitie. I have moderated according to my discretion, but with a swollen heart. *Half my charge shall corrupt all to be your slaves.*"

But in following the career of Sir Thomas Roe we have as yet purposely avoided allusion to the other object of this notice, in order not to break the narrative of the Ambassador's proceedings.

Thomas Coryate was born at Odcombe in Somersetshire in the year 1577. His father who was the Rector of Odcombe, was a poet and scholar, and had published several Latin works not without merit. Our hero was educated at Westminster

School, whence he received a presentation to Gloucester Hall, Oxford, and in the beginning of the seventeenth century, having already earned a reputation or rather notoriety for his classical learning and eccentricities, he was appointed to the household of Henry Prince of Wales, in the capacity partly of scholar and partly of Court fool. According to Fuller "Sweetmeats and Coryate made up the last course at all entertainments. Indeed he was the courtiers anvil to try their wits upon; and sometimes this anvil returned the hammers as hard knocks as it received, his bluntness repaying their abusiveness." In 1608, he undertook a pedestrian tour in the south of Europe, of which he published an account in 1611, entitled "Coryates Crudities, hastily gobbled up in five month's travel in France, Savoy, Italy, Rhetia, Helvetia, Germany and the Netherlands." This was followed immediately by "Coryates Crambe or his Colwort twice sodden." Both works were undoubtedly crude enough, but they were not without a quaint originality, and considerable display of curious scholarship and truthful observation. Fuller observes regarding the first mentioned work, that "his book nauseous to nice readers for the rawness thereof, is not altogether useless; though the porch be more worth than the palace, I mean the preface of other men's mock commending verses thereon." This latter remark is in allusion to the work having been prefaced and ushered in by a number of verses in all languages and styles from the pens of the leading wits and authors of the time, who according to "the Revd. Mr. Terry" did themselves much more honor than him whom they undertook to commend in their several encommiasticks." At any rate they added considerably to the popularity and sale of the work. Amongst his other eccentricities he hung up in the parish church of Odcombe, as a dedicatory offering, the old pair of shoes in which he had performed his European tour, together with a copy of quaint pedantic verses.

His restless spirit and ardent love of notoriety prompted him to be speedily on the move again; and this time he projected a voyage of much greater length and difficulty, no less than a pedestrian tour in Turkey, Syria, Persia and India to Samarcand, returning by the Oxus through Balkh and Bokhara, back to Persia, and thence through Egypt and Greece homeward. For this extensive travel he allowed himself ten years, which time he fixed in imitation of the period of Odysseus' wanderings.

In accordance with these plans he set sail from England on the 20th of October 1612, for the Grecian Archipelago, where however he only visited Zante and Scyo; thence he sailed for Asia Minor, and with a party of compatriots visited the ruins of Troy, and took an active and delighted part in a mock ceremony, got up on the spur of the moment under the influence of the

locality, where he received the accolade of a Trojan Knight, returning thanks for the imaginary honour in an absurd oration replete with out-of-the-way learning, which has been preserved amongst the fragments of his travels and correspondence.

From thence he proceeded to Constantinople, where he remained nearly a year, receiving much kindness and hospitality from Sir Paul Pindar, then Ambassador at the Porte. Here he lost no opportunity of sight-seeing, and was witness to several interesting exhibitions, the details of which he narrates with much quaint humour. Amongst them were a "rigorous and austere kind of discipline" practised by a brotherhood of Franciscan Friars who underwent severe flagellation *by proxy*; a visit to the Dancing Dervishes; a great fire; a flight of locusts; the entry of the Sultan into his capital after a long absence at Adrianople; a visit to several Jewish ceremonies, and the celebration of the Ramzan and feast of Beiram.

On the 21st January 1614, he left Constantinople; and visiting Lesbos or Mytilene, Scyo and Cos, sailed for Scanderoon, whence he proceeded to Aleppo. From thence, accompanied by a countryman, Henry Allard, he started for Damascus, where he remained some days, and then commenced his journey to Jerusalem, which he reached on the 12th April, and was witness to the ceremonies of the Greek Church at that season. From Jerusalem he made several excursions to the places of note and interest in the neighbourhood, including a visit to the river Jordan and the Lake Asphaltes, on the hither side of which, *though he saw it not*, he heard there was "the pillar of Lots wife in salte, with her childe in her armes and a pretty dogge also in salte by her, about a bow shot from the water."

From Jerusalem he returned to Aleppo, where he was compelled to remain three months waiting for a Caravan to Persia, with which he finally departed, and crossing the Euphrates at Bir proceeded viâ Orfa, which he speaks of as "Ur of the Chaldeans where Abraham was borne, a very delicate and pleasant Cittie," but he regrets that he could "see no part of the ruines of the house where that faithful servant of God was borne." Proceeding thence they crossed the river Tigris at Diarbekir, where poor Coryate was robbed by a Turkish Spahi of all he possessed except the clothes on his back, and a few coins he had prudently concealed about his person. From Diarbekir the Caravan, following the route between the lakes Van and Urrameah, reached Tabriz, regarding which Coryate writes "Ecbatana the sommer seate of Cyrus his Court, a City eftsoone mentioned in the scripture; now called Tauris; more wofull ruines of a City (saying that of Troy and Cyzicum in Natolia) never did my eyes beholde." After a short halt at Tabriz he proceeded viâ Kasbin to Ispahan. Here

he remained two months studying the Persian language, and waiting for a large Caravan that was about to start for India. The extent of the overland traffic by that route may be estimated for the fact that this Caravan consisted of 6,000 souls with 2,000 camels, 1,500 horses, above 1,000 mules and 800 asses. The route followed was apparently by Yezd, Ghayn, Furrāh and Grishk to Kandahar, and thence viâ Quetta and the Bolan Pass to Shikarpore. In this latter part of his journey he met Sir Robert and Lady Sherley proceeding from India to Persia, who treated him with great kindness, Lady Theresa making him a present of forty shillings, which in the reduced state of his finances was very acceptable, whilst Sir Robert greatly flattered his vanity by showing him a copy of his own work (the *Crudities*) and promising to bring it to the notice of Shah Abbas, from which circumstance Coryate calculated on some princely benefit when he should return through Persia, that monarch being, as he says, "such a jocund Prince, that he will not be meanly delighted with divers of my facetious heiroglyphicks, if they are truely and genuinely expounded unto him."

From Shikarpore he appears to have proceeded up the right bank of the Indus and crossed probably at or above Mittunkot, whence he continued his journey to Lahore, which he describes as "one of the largest cities in the whole Universe, for it containeth at least sixteene miles in compasse, and exceedeth Constantinople itself in greatnesse."

From Lahore he proceeded by the then famous Badshahi or Royal road to Agra, which occupied him twenty days "through such a delicate and even tract of ground, as I never saw before, and doubt whether the like is to be found within the whole circumference of the habitable world; another thing also in this way being no lesse memorable than the plannesse of the ground, a row of trees on each side of this way, where people doe travel, extending itselfe from the townes-end of Lahore to the townes-end of Agra, the most incomparable shewe of that kind that ever my eyes surveyed." Agra he describes as "a very great citie, and the place where the Mogall did always (saving within these two yeares) keepe his court, but in every respect much inferiour to Lahore."

Ten days journey took him from Agra to Ajmir, where he arrived in 1615, and found ten Englishmen resident at the Padshah's Court, by whom he was hospitably received and entertained, and with whom he remained diligently applying himself to the Urdu and Persian languages. Here his vanity was highly gratified by a proof that his previous history and travels were known and appreciated by his countrymen in this distant part of the

world, which was evinced by the receipt of a copy of humorous, or as Coryate terms them, pretty verses from one Mr. John Browne, a member of the Company's factory at Ahmedabad. As these verses, we believe, represent the first recorded British tribute to the muses in India, they may not be unacceptable.

To the Odcombian Wonder, our laborious countriman, the generous Coryate.

What though thy *Cruder* travels were attended
With bastinadoes, lice, and vile disgraces.
Have not thy glorious acts thereby ascended
Great Brittaines stage, even to Princes places.
Led on in triumph by the noblest spirits
That ever deigned to write of anies merits.

If then for that they did advance thy fame,
How will they strive to adde unto thy glory,
When thou to them so wondrously shalt name
Thy weary footsteps, and thy Asian story :
No doubt more ripe (as nearer to the sunne)
Then was that first that in the cold begun.

Then rest awhile, and to thy taske again,
Till thou has throughly trod this Asian round,
Which yet so many kingdomes doth containe
As *Deckon*, where the diamond is found ;
And *Bisnagar*, *Narsinga* ; and if you be
Not weary yet, in *Zeilan* sake the Rubie.

Then could I wish you saw the *China* nation,
Whose policie and act doth farre exceed,
Our Northern climes ; and here your observation
Would novelists and curious artists feede
With admiration. Oh, had I now my wishes,
Sure you should learn to make their China dishes.

But by the way forget not *Gugurat*,
The Lady of this mighty King's dominion,
Visite *Barock*, *Cambaia* and *Surat*,
And *Amdavar* ; all which in my opinion
Yield much content, and then more to glad yec,
Weele have a health to al our friends in *Tudee*.

Then crosse to *Arab*, happiest in division ;
But have a care (at *Mecca* is some danger)
Lest you incurre the pain of circumcision,
Or *Peter-like*, to Christ do seeme a stranger.
From thence to Egypt, when the famous *Nile*,
And *Memphis* will detain your eyes awhile.

This done, at *Alexandria* seeke your passage
For Englands happy shores, when *How* and *Mundy*
Will strive to make your travels out-last age.
So long as stand their annals of our country.
For Mandevill will come of thee farre short,
Either of travell, or a large report.

He remained at Ajmir until the arrival, in the end of that year, of Sir Thomas Roe, whom he had known in England and whom he was one of the first to greet, going out as far as Chitore to meet him.

Coryate's eccentricities, his love of sight seeing,—which carried him to every spectacle and ceremony,—his poverty and peculiarities of attire, his temperate habits, and his invariably travelling on foot, had excited the attention of the Shah and his courtiers, who looked upon him as a sort of religious mendicant, and generally spoke of him as the *English Fakir*. The unexpected appearance of such a character, so little calculated to exalt the opinion of English wealth or dignity, was anything but agreeable to Sir Thomas, the more especially as he could not ignore or keep him at a distance, having been well acquainted with him formerly in the Prince of Wales's Household. Moreover, knowing him to be a gentleman by birth and education, a sound scholar, the quondam companion and present correspondent of some of the leading men of letters in England, and above all being acquainted with the simplicity and perfect innocence of his character, it was impossible to receive him save with welcome and kindness, more especially as he was remarkably touchy regarding the least slight to his vanity. These considerations must naturally have guided Sir Thomas' conduct towards him, which appears to have been kind and judicious. He was quartered in the Ambassador's house-hold with his Chaplain, and kept as much in the back ground as practicable.

This last part of the arrangement was anything but agreeable to one so imbued with the love of notoriety, and accordingly he determined to bring himself to the notice of the Padshah in spite of the Ambassador. Having now sufficiently mastered the Persian language to be able to speak it pretty fluently and correctly, he one day made his appearance at the Royal Durbar, where he immediately attracted the observation of Jehangir, who making enquiries regarding him, Coryate stepped forward, and after due obeisance commenced a prepared harangue in Persian, of which he was so proud that he made several copies of it both in the original and the translation, which he forwarded to England.

These we subjoin for the benefit of Persian scholars or students, as copied from Purchas, with only such corrections in the original as were evidently typographical errors, the natural result of printing in an unknown language, leaving the peculiar spelling unaltered:—

“ Hazaret Aallum pennah salamet, fooker Daruees jehaungeshta hastam ke inja amadam az wellayete door, yanne az mulk Inglizan, ke kessanaion peshem mushacas cardand ke wellayete mazcoor derrakehs magrub bood, ke mader hamma jazzaert dunyast. Sahbebbe amadane mari inja boosti char cheez ast, arwal be dedane mobarrekk

deedare, hazaret ke seete caramat ba hamma Frankestan reeseed ast ooba tamam mulk Musulmanan. Der sheenedan awsaaffe Hazaret daneeda amadam be deedane astawne akdasmusharaf geshtane. Duum bray deedane feelpay Hazaret kin chunin janooar dar heech mulk ne dedam. Seum bray deedane namwer daryae shumma Ganga ke Serdare hamma daryaha duniast. Chaharum een ast, ke yee fermawne alishaion amayet fermyand, ke betwanam der wellayete Usbeck raftan ba shahre Samarkand bray Zeerat cardan cabbre mobarrecke Saheb crawneah awsaaffe jang oo mosachere oo der tamam aalum meshoor ast belk der wellayete Uzbek eencadee meshoor neest chunan che der mulc Inglizan ast, dige bishare eshteac daram be dee dane moobarec masare saheb crawnca bray een saheb, ke awn saman ke fooker der shahr Stambol boodam ye aiaeb cohua amarat deedam dermean ye cush bawg nasdec shahe mascoor coja ke Padshaw Eeza-wiaion ke namesh Manuel bood ke Saheb crawnca cush mehmannee aseem carda bood, baad as gristane Sultan Bajasetra as jange aseem ke shudabood nasdee shahre Bursa coanja ke Saheb crawn Sultan Bajasetra der Zenieera tellajo bestand, oo der cafes nahadand een char chees meera as moolke man jumbaneed ta inja. As mulc Room oo Arran peada geshta as door der een mulc reseedam, ke char hasar pharsang raw darad beshare derd oo mahnet casheedam ke heeh ches der een dunnia een cader mahnet ne casheedast bray deedune moo-barrec dedare Hazretet awn roos ke be tacte shaugh in shaughee musharaf fermoodand."

The translation as made by Coryate himself we give verbatim :—

" Lord Protector of the world, all haile to you : I am a poore traveller and worldseer, which am come hither from a farre countrie, namely England, which Ancient Historians thought to have beene situated in the farthest bounds of the West, and which is the Queene of all the Islands in the world. The cause of my coming hither is for foure respects. First, to see the blessed face of your Majestie, whose wonderfull fame hath resounded over all Europe and the Mahometan Countries. When I heard of the fame of your Majestie, I hastened hither with speed and travelled very cheerfully to see your glorious Court. Secondly to see your Majesties elephants, which kind of beasts I have not seene in any other countrie. Thirdly to see your famous river Ganges which is the Captayne of all the rivers of the world. The fourth is this, to entreate your Majestie that you would vouchsafe to grant me your gracious passe, that I may travelle into the countrey of Tartaria to the Citie of Sumarcand, to visit the blessed Sepulchre of the Lord of the Corners (*this is a title that is given to Tamberlaine in this countrie, in that Persian language ; and whereas they call him the Lord of Corners, by that they meane, that he was Lord of the Corners of the world, that is the highest and Supreme Monarch of the Universe*) whose fame by reason of his warres and victories is published over the whole world : perhaps he is not al-

together so famous in his owne Countrey of Tartaria as in England. Moreover, I have a great desire to see the blessed tombe of the Lord of the Corners for this cause, for that when I was at Constantinople, I saw a notable old building in a pleasant garden neare the said citie, where the Christian Emperor that was called Emanuel, made a sumptuous great banquet to the Lord of the Corners, after he had taken Sultan Bajazet, in a great battell that was fought neare the Citie of Brusia, where the Lord of the Corners, bound Sultan Bajazet in fetters of gold, and put him in a cage of yron.

"These foure causes moved me to come out of my native countrey thus farre, having travelled a foote thorow Turkie and Persia, so farre have I traced the world into this countrey that my Pilgrimage hath accomplished three thousand miles, wherein I have susteyned much labour and toyle, the like wherof no mortale men in this world did ever performe, to see the blessed face of your Majestie, since the first day that you were inaugurated in your glorious Monarchal throne."

The Padshah, who appears to have been amused by this unusual address, and interested in the English Dervish or Fakir, entered into discourse with him relative to his past and projected travels, dissuaded him from his attempt to visit Samarcand, pointing out not only the difficulties of the route but the danger to be encountered there from the bigotry of the people. He then presented our traveller with one hundred rupees, which was most acceptable, for as he says in a letter to his mother, "never had I more need of money in my life than at that time, for in truth I had but twenty shillings sterling left in my purse."

As may be supposed Sir Thomas Roe was much annoyed when he heard of this proceeding; but for this Coryate was not unprepared. In the same letter to his mother, he says "This humour I carried so secretly by the helpe of my Persian, that neither our English Ambassadour, nor any other of my countrimen (saving one speciall, private, and intrinsicall friend) had the least inckling of it, till I had thoroughly accomplished my designe: for I well knew that our Ambassadour would have stopped and barricadoed all my proceeding therein, if he might have had any notice thereof, as indeed he signified unto me after I had effected my project, alledging this, forsooth, for his reason why he would have hindered me, because it would redound somewhat to the dishonour of our nation, that one of our countrey men should present himselfe in that beggarly and poore fashion to the King out of an insinuating humour to crave money of him. But I answered our Ambassadour in that stout and resolute manner that he was contended to cease nibbling at me." From an Armenian who was resident at the Court, he also received a present of twenty rupees when on a visit at his house, two days'

berry des-
never be
 in seeing
 things."
 the "itch
 rendering
 but keenly
 ereness and
 its of the
 l and high-
 readily and
 his morbid
 y arrived at
 King James
 l mentioned
 marked "is
 ed our poor
 evance came
 e him a letter
 , in which he
 phrase which
 , upon which

was amiable
 reserves a pro-
 terprise in the

by his friend

07A130.

42

100

cheapnesse of all eatable things in Asia, drinkable things costing nothing, for seldome doe I drinke in my pilgrimage any other liquour than pure water,) will maintaine me very competently three years in my travell, with meate, drinke and clothes." It is much to be regretted that he did not survive to publish an account of his travels, for he was far from deficient in observation, although his views were often quaint and eccentric, and he had the great merit of truthfulness. The Rev. Mr. Terry, "long his chamber-fellow and tent-mate," bears testimony to this virtue, and observes "as he was a very particular, so he was a very faithful relator of things he saw; he ever disclaiming that bold liberty which divers travellers have and do take, by speaking and writing any thing they please of remote parts, where they cannot be contradicted, taking pride in their feigned relations to overspeak things." He must have made good use of his time in the acquisition of the Oriental languages. In a letter written in 1615 from Ajmir, to the Right Honorable Sir Edward Phillips, Master of the Rolls, he says, "Three years and some odd days, I have spent already in this second peregrination, and I hope with as much profite (unpartially will I speake it of myself without any over-weening opinion to which most men are subject,) both for learning foure languages more than I had when I left my country; viz. Italian, Arabian, Turkish and Persian, and exact viewing of divers of the most remarkable matters of the Universe; together with the accurate description thereof, as most of my countreyemen." In a letter to his mother dated from Agra, October 1616, he writes that he had spent a year at Ajmir "to learn the languages of those countries through which I am to pass—viz. these three, Persian, Turkish and Arab, which I have in some competent measure attained unto by my labour and industry at the King's Court; matters as available to me as money in my purse, as being the cheapest or rather only means to get money if I should happen to be destitute, a matter very incidental to a poor foot-man Pilgrim as my selfe in these Heathen and Mahometan countries through which I shall travell."

Of his knowledge of the vernacular, Mr. Terry gives a remarkable and amusing instance, when speaking of "his great mastery of the Indoostan or more vulgar language" he goes on to say "there was a woman, a landress, belonging to my Lord Ambassador's house, who had such a freedom and liberty of speech that she would sometimes scould, brawl, and rail from the sunrising to the sunset; one day he undertook her in her own language, and by eight of the clock in the morning so silenced her that she had not one word more to speak."

His curiosity and love of travel were both intense, and his

difficult embassy appear to have given satisfaction both to the King and the Company at home.

Soon after his arrival in England he was elected a Member of Parliament for the borough of Cirencester in Gloucestershire. In 1621, he was sent as Ambassador to Constantinople, where he remained until 1628, holding the same situation under the Sultans Osman, Mustapha and Amurath 4th, with credit to himself and his country. He was the first English Ambassador who was enabled to establish a real and permanent influence at the Porte, and to command respect on all occasions. He secured for the English merchants several valuable commercial and civil privileges, and also by his influence and generous advocacy was enabled to benefit generally the condition of all members of the Greek Church. He made a valuable collection of Greek and Oriental Manuscripts, which he presented to the Bodleian Library, and he brought over the celebrated Alexandrian copy of the Greek Scriptures, which was presented to King James by Cyril the Greek Patriarch of Constantinople, in gratitude for the benefits obtained through the influence and by the agency of the English Ambassador.

In 1629, he was sent as Ambassador to Gustavus Adolphus, King of Sweden, to whom he recommended the plan, adopted in the following year by that monarch, of making his famous descent upon Germany in defence of the Protestant liberties. In acknowledgement of this counsel, Gustavus Adolphus, after his victory at Leipsic, sent Sir Thomas a present of £2,000, addressing him as his *Strenuum Consultorem*, and acknowledging that he was the first who had advised him to undertake the campaign in Germany. He was subsequently employed in negotiations at Copenhagen and several of the German Courts.

In October 1640, he was elected member for the University of Oxford, and in April 1641, he was sent as Ambassador from King Charles to the Diet of Ratisbon, to endeavour to obtain the restoration of the late King of Bavaria's son to the Palatinate. Here he made so favorable an impression upon the Emperor that he publicly said, "I have met with many gallant persons of many nations, but I scarce ever met with an Ambassador till now," and on another occasion, in allusion to Sir Thomas' persuasive eloquence, he said laughingly "that if he had been one of the fair sex and a beauty, he was sure the engaging conversation of the English Ambassador would have proved too hard for his virtue."

After his return to England he was unavoidably drawn into the struggle then carrying on between his Royal Master and the Parliament, which imbittered his latter days, and is believed to

To fill it when he found no room,
By the choyce things he saw
In Europe and vast Asia,
Fell blinded in this narrow tombe.

At the period of Coryate's death, Sir Thomas Roe's Indian career had nearly come to a close. He appears to have accompanied the Court of Jehangir about the end of 1617, when that Monarch marched from Mandu to Guzerat, but we have no record of this portion of his travels. Early in the following year he took his final leave of the Durbar, but not until he had obtained the main object of his mission, and was dismissed with honor and presents, Jehangir forwarding a complimentary letter by him to King James.

On arrival at Surat, he found the Governor, who was a nominee of Shah Jehan, disinclined to act up to the spirit of the new treaty, or to pay attention to the Firmauns and other orders of the Padshah; under these circumstances he entered into direct and separate communication with Shah Jehan, who happening at that time to be at variance with, and exceedingly irate against, the Portuguese, was ready and willing to come at once to terms. After some discussion a treaty was concluded, confirming all the benefits to the English granted by the Padshah, together with special privileges in the port of Surat, including the erection of a factory, the free exercise of their religion, the government of their own laws, and the right to wear arms; in return from which they were to assist in the defence of the port.

Finding that the Company's Agents had commenced a regular trade with Persia, and established factories in Ispahan and on the coast, Sir Thomas superintended the negotiations for a treaty of commerce with Shah Abbas, which was obtained on very favorable terms.

He finally left India in the commencement of 1619, and on his voyage home, in the month of May, he met at Saldanha Bay, the Dutch Admiral Hoffman, with whom he had a long conference on the subject of the commercial animosities and jealousies of the English and Dutch in the East, which resulted in both writing to the agents of their respective establishments in India, enjoining mutual peace and good will, as being in accordance with the wishes and orders of the two Home governments, who were sending out a commission to adjust all points in dispute.

With this act Sir Thomas' career in India may be said to have terminated.

His proceedings during the whole period of his long and

difficult embassy appear to have given satisfaction both to the King and the Company at home.

Soon after his arrival in England he was elected a Member of Parliament for the borough of Cirencester in Gloucestershire. In 1621, he was sent as Ambassador to Constantinople, where he remained until 1628, holding the same situation under the Sultans Osman, Mustapha and Amurath 4th, with credit to himself and his country. He was the first English Ambassador who was enabled to establish a real and permanent influence at the Porte, and to command respect on all occasions. He secured for the English merchants several valuable commercial and civil privileges, and also by his influence and generous advocacy was enabled to benefit generally the condition of all members of the Greek Church. He made a valuable collection of Greek and Oriental Manuscripts, which he presented to the Bodleian Library, and he brought over the celebrated Alexandrian copy of the Greek Scriptures, which was presented to King James by Cyril the Greek Patriarch of Constantinople, in gratitude for the benefits obtained through the influence and by the agency of the English Ambassador.

In 1629, he was sent as Ambassador to Gustavus Adolphus, King of Sweden, to whom he recommended the plan, adopted in the following year by that monarch, of making his famous descent upon Germany in defence of the Protestant liberties. In acknowledgement of this counsel, Gustavus Adolphus, after his victory at Leipsic, sent Sir Thomas a present of £2,000, addressing him as his *Strenuum Consultorem*, and acknowledging that he was the first who had advised him to undertake the campaign in Germany. He was subsequently employed in negotiations at Copenhagen and several of the German Courts.

In October 1640, he was elected member for the University of Oxford, and in April 1641, he was sent as Ambassador from King Charles to the Diet of Ratisbon, to endeavour to obtain the restoration of the late King of Bavaria's son to the Palatinate. Here he made so favorable an impression upon the Emperor that he publicly said, "I have met with many gallant persons of many nations, but I scarce ever met with an Ambassador till now," and on another occasion, in allusion to Sir Thomas' persuasive eloquence, he said laughingly "that if he had been one of the fair sex and a beauty, he was sure the engaging conversation of the English Ambassador would have proved too hard for his virtue."

After his return to England he was unavoidably drawn into the struggle then carrying on between his Royal Master and the Parliament, which embittered his latter days, and is believed to

have accelerated his death, which took place on the 6th November 1644, at Woodford in Essex, where he was buried.

On his return from his last embassy to the Emperor, he was appointed Chancellor of the Garter and a member of the Privy Council, the only recompence he ever received from the monarch whom he served so long, so faithfully, and with such beneficial results to the crown and country. Although on the Royalist side in the great national struggle, he was respected and liked by all parties. He was a man of liberal education, of a refined mind, and sound scholarship. He made an extensive and valuable collection of articles of *virtu*, including a magnificent set of medals, all of which he bequeathed to the public. As a political negotiator he was looked upon as amongst the ablest of his time, and on all questions of commerce he was admitted to have no equal. He made several remarkable speeches on commercial questions in the house, especially on the currency, and he also published several pamphlets and left numerous valuable manuscripts.

In the words of his biographer "there was nothing wanting in him towards the accomplishment of a scholar, gentleman or courtier; and as he was learned, so he was also a great encourager of learning and learned men. His spirit was generous and public, and his heart faithful to his Prince. He was a great, able and honest statesman; as good a patriot, and as sound a Christian, as this nation hath had in many ages."

By such a man, it must be admitted, that England was well and worthily represented in her first Indian Embassy.

ART. II.—*Megasthenis Indica. Fragmenta collegit; commentationem et indices addidit* E. A. SCHWANBECK; DR. PHIL. Bonnæ, MDCCCXLVI.

WE have in this work another of the many instances that the press is daily giving us of German learning, as distinguished from scholarship; and of the fact that India is better known and understood, or at least is more studied and enquired into, by the Germans, than by ourselves who are its Rulers. Thoroughly practical in mental tendencies, and with a desire to be still more so that the country may be successfully civilised and governed, the English have gone to the opposite extreme, and too much neglected, throughout almost the whole of their past connexion with the country, a *con amore* study of the habits and necessities, and beliefs and languages of its people, with a view to their harmonious government and gradual elevation. While it is well, in the present state of the country, that men who are in places of power and importance should act rather than study, and be manly, common-sense governors instead of apathetic and learned book-worms, it is not well that a stratum of foreign influence should be superinduced on the various layers of native society, ignorant of all their tastes and beliefs, and unable to bend or accommodate Western prejudices and errors to Eastern habits and tendencies. The too great disregard of oriental learning and scholarship among the English in India augurs badly for the permanence or harmony of our future rule. We trust that the day is coming, when it will not be the reproach of our nation in Continental Europe, that, conquer as we may, we cannot bind our conquests to ourselves, and that we fail as statesmen and rulers, from a wilful ignorance of those whom we govern; that Oriental learning has taken refuge in despair in the dreaming dulness of some German University, where she is wooed by book-worms and not men. It is sad to think that we play the part of the old Roman, receiving our oriental literature and scholarship from Hellenic Teutons;—knights of the sword, but not of the pen.

Dr. Schwanbeck, feeling that on the one hand almost no part of Greek literature has been so much neglected by the learned as that relating to India, and on the other, that much more information may be extracted from Greek writers as to the early history of India than has hitherto been done, or is generally supposed, sets himself to the task of collecting from all quarters fragments of the work of Megasthenes. From him the most accurate information may be derived, and his work was in fact the source of most of the statements that we find in such approved

writers as Arrian and Curtius. At the same time he considers the whole subject of 'India as known to the Ancients' generally, and estimates, with some degree of critical skill and sagacity, the value of the information conveyed by the writers who have touched upon India in their works. His preface thus begins:—

"Nulla fere pars est litterarum Graecarum, cuius cognitio magis a viris doctis sit neglecta, quam quae pertinet ad descriptionem terrarum gentiumque Graecis ignotarum, quae quo magis erant Graecis alienae, eo minus tempore recentiore sunt pertractatae: cuius rei exempla sat multa reperiet, qui in Graecarum litterarum historiis numerum non exiguum talium scriptorum percensere velit, quorum quidem notitia aut prorsus nulla praebetur, aut certe talis, ex qua certi vel ampli nihil fere redundet."

The work is divided into two parts. The first contains, by way of introduction to a commentary on the 'Indica' of Megasthenes, a treatise on the knowledge of India which the Greeks possessed previous to his time, on the amount of confidence that may be placed in him, and his consequent authority and value, and on those writers who wrote about India after him, coming down so far as to the name of Albertus Magnus. The second part takes up in detail the fragments of the Indica, accompanied in all cases by references to the authors from whom they are taken, and generally headed by titles which at once shew the nature and contents of each fragment. The whole is accompanied by notes, either written by the editor himself, in which he weighs the value of the statements in the text, and compares them with those in other works or the remarks of other critics; or taken from great Oriental scholars, such as Schlegel and Lassen. The book is concluded by three carefully prepared Indicas, the first of writers in whose works fragments of the Indica are found, the second Geographical, and the third an Index Rerum Memorabilium. The work is most creditable to the author, and a valuable addition to the literature of Indian subjects. It is well worthy the attention of the classical scholar, and with reference to the early history of India will be found invaluable.

We do not however propose to tread in Dr. Schwanbeck's footsteps, or go over the same ground that he has taken up. We intend rather to gossip for a little on the classical legends regarding India, and the men from whom the ancients derived their knowledge of it, and in whose works accounts of it are found; leaving the far higher and more critical subject of the value of their statements, the sources whence they were derived, and the light that they throw on the dark obscurity of early Indian

history, for future consideration. If once we have a slight knowledge of these authors and the works that they wrote, we shall have a basis on which to go in considering the more important questions.

What did the ancients think of India? Could we so far "subjectify" ourselves as to enter into the spirit of the old republics, what should we find to be their feelings and beliefs as to this orient of ours? The interest in a distant country is not always proportioned to the knowledge that is abroad concerning it. If the popular mind can get but one tangible fact on which to fasten, a fact fitting into their nature and meeting their selfish wants, then will it form the ground of an instinct of curiosity and desire. The history of the 'India Question' from the days of the traditions as to the ants and gold incorporated by Herodotus in his books, from those of Alexander the Great, whose soldiers returned with most exaggerated accounts, to the present time, has been a most curious one. Based as these traditions were on mendacious reports or total ignorance, India had a fascination for the people of the middle ages, and formed a lure to lead them to the noblest discoveries and the most splendid expeditions. India and its gold were at the bottom of their most extensive plans of discovery and adventure, and no efforts were thought too great, no expenditure too lavish, if it could only be reached. Till a very recent period, even after there were few families in Britain that had not sent forth a member to fight or to write in India, this continued; and only the magnitude of the empire, the immense interests at stake, and the position of the central Asia question in European politics, have at last roused even the most intelligent and interested classes to accuracy of knowledge regarding it.

From the days of Herodotus to the present time India has thus assumed very much the appearance of a myth. Based as men's knowledge was on some few distinct and correct facts, every new expedition, every fresh return of an Asiatic army, added to it until it became to the ancient and mediæval world very much what the myths of the ancient and mediæval world are to us—a fairy tale, a creature of the imagination, a dream of a land where monstrous beings, supernaturally endowed philosophers, and miraculous products all existed in endless profusion.

We question much, if, previous to the return of Alexander's armies, any knowledge of or interest in India and the adjacent countries had ever penetrated into the Hellenic mind, or reached the mass of the people. Stray travellers or scholars, like Hecataeus, Herodotus and Ctesias, might be found, who picked up a few floating facts regarding it; but the mass must have remained utterly ignorant and indifferent. True, the *demos* of the Greek

republics were men of vast intelligence for their day. They who could sit out whole trilogies of *Æschylus* and *Sophocles* from sunrise to sunset, must have been men of no ordinary mental power and acquirements. But the mention of India or the far off lands of the East affected them not at all, and the writers whose traditions regarding it were read at their games and festivals were treated more as poets than historians of the real and the actual. The national mind could be roused when the hated Persian's name was mentioned, and the news flew like wild-fire through the city when the sad fate of the Syracusan expedition was announced, but India was a subject on which the poet might dream and a visionary imagination feed.

The points of contrast and comparison between the Greeks and English are many and striking. Both were essentially practical in their genius, both proud and conceited of the national name and acquirements. John Bullism existed in Greece, and as the son of Hellas trode the streets of Athens or Sparta, or visited foreign lands, he made all to feel that he was a Greek, and that it was something so to be. True he might be defeated, and the iron heel of the Roman might be on his neck, but was he not the descendant of the heroes of Marathon and Salamis? Were not Homer and Pericles, Sophocles and Thucydides his fathers? Did not the Roman bow before him, adopt his customs, copy his literature, and worship the Gods of his fathers? In the Greeks conceit was natural, and it kept them from taking that interest in other countries and developing the spirit of adventure and discovery and colonisation to such an extent as to embrace the comparatively unknown and unvisited. All were barbarous save them; and why should they honour far off barbarous lands by noticing or exploring them?

While on its better side this conceit was a just and noble national pride, on its worse it was based on ignorance. A maritime people, many of them almost living on the sea, their boats gliding and dancing amid the glorious Cyclades, it was seldom that they ventured out far to sea, or exposed themselves to its unknown and dreaded dangers. Their natural timidity had been increased by the nature of their traditions: and as the Greek boy learned the story of Jason and the famed Argonauts, and conned over all the adventures of the heroes who, returning from the Trojan war, were tempest-tossed for years, so far from feeling his spirit roused to emulate their deeds, he shrank from hardships so prolonged and so untried. The Phœnicians too, desirous to keep for themselves that lucrative trade which they carried on with the distant coasts of the Mediterranean, and even of the Atlantic, had added by the terror of their stories to this fear. The Greeks were also ignorant of many of those arts, a

knowledge of which is necessary to successful adventure and discovery. Unacquainted with navigation, they, in early times, knew not how to observe, or to use their eyes. On meeting with new objects they had no standard of comparison; and, like children, their generalisation was imperfect and their conclusions false. Notwithstanding all that Aristotle had done in later days for the physical sciences, he was but one man, and even his speculations were more a practical application of his Metaphysics, than sound scientific observation and classification. A knowledge of every science was wanting, that is now necessary for the traveller who would be useful and successful. The stars; the winds; the phenomena of the atmosphere; the relative position of places on the earth's surface; the nature of the soil, its products; the sea, its influence on temperature, health and national character; the contents of the earth, metals, stones, &c., all these were overlooked by the Greek traveller. From past ignorance he was credulous, from childish wonder at novelty he was indistinctly or inaccurately impressed, and from a love of the marvellous his history was too often an exaggerated record of what he had actually seen and heard. In early days moreover the Greeks never came actually into contact with India and adjoining countries. They might have heard of the fabled expedition of Semiramis, or that of Darius Hystaspes, reaching only to its confines; they received the spoils of the East through middlemen, from the traders and caravans who brought the silks and spices by tedious journeys and through almost pathless deserts, or up the Persian Gulf and Euphrates, or through the Indian ocean and up the Red Sea. One of their nation might occasionally have been in the Persian Court, and have mixed freely with men who had visited some of its outports, but it was emphatically a *terra incognita*, round which the imagination of the poet-historian might play, but which the eye of the accurate annalist could never penetrate. In early times the Greeks had thus no historical relations with India at all; and all their dim dreamy knowledge of the country and its peoples amounted very much to this, that they were a frontier state of their enemy Persia; that Persia had tried to conquer them, and had succeeded in getting a pretty large revenue from them; and that should they conquer Persia, India must follow; that from that direction came some of those luxuries for which their Persian neighbours were notorious, and which the true Greek regarded as effeminate; from India came those spices that ascended daily to the Gods in the shape of sweet incense; that India was the boundary of the world on the one side, as the pillars of Hercules and Britain were on the other.

We must expect then to find the knowledge of India possessed by the Ancients in early times, or previous to Megasthenes, to

be very limited and vague. But it was not on that account the less important, for without it the whole of that period of Indian History must, like the preceding ages, be a blank, to be estimated by yugs or ages, the extent of which only the vast imagination of an oriental can conceive. The peculiar value of the information regarding India derived from the Classics is, that by means of them, and them alone, can we introduce order into native accounts, and reduce a monstrous and fabulous Chronology to harmony and intelligibility. It is only at those points where India, in the course of its history, touches upon other nations, that we can hope for faint rays of light, to relieve the mind that has panted through cycles of ages in search of a resting-place. It is only when a historical being like Alexander, with his trustworthy Ptolemy and Aristobulus, steps on the misty scene, that we can find a place for the soles of our feet, and from that stand-point proceed, as best we may, to look about us in the darkness, to catch forms hitherto ærial and mythical, and to bind all by the sure fetters of an accurate Chronology. Often had scholars, with Arrian and his accurate history beside them, striven to identify Porus and Taxiles and Sandracottus as some of the many rajahs and princes who appear in pure Hindu tradition, but in vain. At the close of the last century Comparative Philology and the whole philosophy of 'comparison,' in science, language and history, were unknown. Many a classical scholar had wasted mines of learning; and still the problem, who in Indian history corresponded to these three or any of them, remained insoluble.

Sir William Jones appeared on the scene. A thorough classical scholar, he set himself to the study of Sanscrit, and thus equipped himself for irrevocably settling doubts and questions at which the first scholars of Europe had stumbled. In his Sanscrit readings, about the year 1780, he often met with the name Chandra-gupta, Chadragupta, Chandra Gupta; spelt in all these modes, and not always in exactly the same way in the same author. Similarly in turning to the Greek and Roman Historians, he found a king mentioned under such different names as (*Arrian*) Sandracottus; (*Diodorus Siculus*) Xandrames; (*Quintus Curtius*) Aggrammes; (*Plutarch*) Androcottus; (*Athenæus*) Sandrocuptus.

He read in the *Mudra Rakshasa* (since published by Professor Wilson in his "Select Specimens of the Theatre of the Hindus") how a Sudra king called Nanda was reigning at Pataliputra. By one wife he had eight sons, by another of low caste one son—Chandra Gupta. The Brahmans, groaning under the tyranny and insolence of the Sudra king, revolted, murdered the nine Nandas, and raised Chandra Gupta to the throne. In this they had been assisted by a northern prince, who was promised an increase of territory for his aid. But the object having been accomplished,

they refused to implement their bargain, and assassinated their northern ally. His son who succeeded him, Malayaketa, burned with revenge; and marched against Chandragupta with a large body of Yavanas, supposed to be Greeks, in his army, but returned after a fruitless expedition. Such is the Hindu side of the story; and it finds its parallel sufficiently complete to be pronounced so, and sufficiently distinct to be viewed as an independent account, in the histories of those later writers who have touched upon the subject of India. From Pliny, Arrian, Athenæus, Strabo, Appian, Plutarch and Justin, the following facts are gathered. In the time of Seleucus Nicator, a king called Sandracottus ruled over the tribes of the Gangaridæ and Prasii, his capital being Palimbothra. The queen, his mother, had put her own husband to death; and marrying a man of low origin, some say a barber, Sandracottus was born. His connexion with Alexander is most uncertain, but in the troubles that ensued on that monarch's death, Sandracottus extended his power over the territories in the Punjab that he had conquered, and subjugated the Greeks who had been left there. As soon however as Seleucus came into undisturbed possession of that part of Alexander's dominions, or about the year 302 B. C., he undertook an expedition against Sandracottus, and whatever the character of it was, we know that it resulted in a treaty, by which, in return for 500 war elephants, Seleucus gave up all his territory in the Punjab, and a large portion of that in the hills on the other side of the Indus.

A careful comparison of these two stories, the names of the men, Chandra Gupta in Hindu Literature, Sandracuptos in Greek; of the place; Pataliputra in the former, Palimbothra in the latter, the position of the parties, the locality of the tribes, the origin of the Hindu prince, the troubles in the kingdom, the expedition of the northern king, the fruitless result of it,—all these point out as clear a case as history can shew. Starting then from this point, that Chandragupta is Sandracottus, and Pataliputra is Palimbothra, we have a clue at once chronological and geographical, by which we can unravel the confusion of pure Hindu history. When we find that events before and after harmonise as much as in any similar case they could be supposed to do, we have as clear a certainty as induction can possibly give, that we are on sure historical ground, and that every new discovery will but add to its certainty, and extend its sphere.

The Classics did this for India; and if they had accomplished nothing more we might well be grateful to them. But we believe that a careful study of the language and literature of the Hindus by a thorough classical scholar, who is more especially familiar with those Greek and Latin authors that have treated of India, will lead to harmonies and discoveries still more startling than

this, and will do for India, what has in recent times been so largely and successfully done for Egypt and Syria. If Scholars could have hoped to extract from the stony Sphinx of India anything to illustrate Sacred Scripture or cast light upon its statements, then would Indian antiquities and literature have held a very different position among them from what they now do. But though we cannot hope that India, like Egypt and Syria, will ever cast much light on the Bible, is it not an object worthy of the highest ambition of the Biblicist and the Scholar, to reduce the historical records of this mighty continent to such order, that the approach of the day will be hastened when millions shall be elevated by a knowledge of the truth? Now that the foundations of criticism have been laid anew, that Ethnography and Ethnology have been raised to the rank of independent sciences, that languages are studied with a success and to an extent never known before, and that, above all, comparative Philology is every where recognised as a safe guide to the blind in the greatest difficulties, a revival should take place in Oriental Scholarship, and the old dynasties and seemingly eternal systems of Asia should be brought to light with an accuracy and a vividness such as that which Geology has manifested in disclosing the relics of earlier creations. Sir W. Jones having thus struck upon the clue which was to lead through the labyrinth of Indian History and Chronology, it was not long in being followed up by himself and others. For a time it languished however, notwithstanding the establishment of the Asiatic Society in 1787. But when James Prinsep took it up, he pursued it with energy and skill, till such men as he, Professor Wilson, Dr. Mill and others, encouraged and aided by the scholars of Europe, succeeded in deciphering many old inscriptions and coins, and added immensely at once to the extent and order of India's past. The Malwa Dagoba did for India what the Rosetta stone accomplished for Egypt, and from that day the riddle was read.

This the old Greek Historians have accomplished for India ; thus have they restored her to her place in the page of history, and rescued her from the obscurities of the infinite. It may not then be unprofitable nor uninteresting to ask, what were the early Hellenic legends regarding India, who were the chief men that chronicled them, and what were the sources of their information.

The early allusions to India in the Classics consist of nothing more than vague epithets, often used by the poet or the rhetorician to round a sentence or give pith to a figure of speech. In Scripture the name India occurs only in the book of Esther (i. 1, viii. 9) in which we are introduced to the Persian kingdom as it was in the 5th century B. C. Commentators have

supposed, and not without reason, that the travelling Caravan of Ishmaelites, introduced in the history of Joseph, were engaged in the early overland India trade. We cannot however look upon the passage in which they are mentioned as one in which there is a direct allusion to India. In Esther it is spoken of as one of the provinces subject to King Ahasuerus, but introduced more as the boundary of his vast empire, than as an internal part of it. It is very probable that Solomon long before this had some connexion with the countries adjacent to it, but it was a very indirect one, as indirect as that of the court of Rome or Constantinople with the land of the Seres. There can be little doubt that the ships which landed at Eziongaber all sorts of spices, stones and costly stuffs for the use of the temple which was then being built, brought many of them from India. In the second book of Chronicles (ix. 21) it is stated that Solomon's ships went to Tarshish (Tartessus) with the servants of Hiram; and that every three years, or as we prefer to translate it with Michaëlis, every third year, they brought gold and silver, ivory, apes and peacocks. We know that the Phœnicians, with all their adventures and geographical knowledge, were not acquainted with the fact of the existence of India until they became thus allied with the Jews. It was after David had made the Great River and the Great Sea his eastern and western boundaries, and the Red Sea his southern, that the Phœnicians commenced the navigation of the latter, with Eloth and Eziongaber as their ports in the Ælanitic Gulf. In some places the districts which they visited are called Tarshish, in others Ophir, but wherever the former may have been—most Scholars think in Spain—the latter must have lain in the direction of the south of Arabia. Solomon and the Phœnicians supplanted the Edomites in a trade which they must have carried on for a very long time, a trade by which they enriched and fertilised their otherwise rocky and barren land, and made Bozrah and Petra the greatest and most splendid cities of their day,—the former a city glorious even in that desolation predicted by Isaiah (xxxiv. 13.) "Thorns shall come up in her palaces, nettles and brambles in the fortresses thereof." Every thing shews that the Edomites were the earliest people of antiquity who traded with Ophir. The exact locality of Ophir has excited no little controversy among Scholars, but the conclusion of Heeren seems to be the most sensible, that it is "the general name for the rich countries of the south lying on the African, Arabian and Indian Coasts, as far as at that time known." The time of return from the voyages made to it "in the third year" may easily be accounted for, by the existence of the periodical monsoons; and the vessels might have returned, as

Michaelis shews, in 'the third year' though they had been absent but eighteen months. The articles brought from these places, reaching probably to Ceylon, which some think to be Ophir, or at least to the Malabar Coast, correspond very accurately with those mentioned by Herodotus in the *Thalia* (114) as procured from Ethiopia.

A passage in which many commentators have pretended to find mention of India, or direct allusion to it, is Ezekiel iv. 4—15. In that splendid prophecy against the King of Tyre, the prophet numbers and names the countries from which he derived his rich revenues, and pictures the city under the figure of a great ship, exceeding in magnitude and beauty all that ever were before or since. The prophecy of Isaiah also, in which he represents the glory of Tyre as transferred to Jerusalem, points indistinctly to the vast extent of the commerce of the former, reaching even to India.

Coming further down, to the time when the Romans took a leading part in the politics of Asia, and absorbed its western provinces into their mighty empire, we find it mentioned in the Apocryphal book of the Maccabees. (I. Macc. viii. 8.) as one of the countries taken from Antiochus and given to Eumenes. Critics have attempted to shew that in the passage in Acts ii. 9, in which an enumeration is given, of the various countries and cities whose representatives were in Jerusalem at the feast of Pentecost, India should be read instead of Judæa. Others again have contended for Idumæa, and certainly, so far as readings are concerned, much may be said in favour of both. *Ἰουδαίαν, Ἰνδίαν, Ἰδουμαίαν*. These readings have been conjectured to get rid of the difficulty of a statement that the people of Judæa were present at the feast in their own city. But the catalogue of countries proceeds from the north-east to the west and south, and Judæa lies immediately south from Mesopotamia. There is still greater difficulty in supposing that there were Jews in India, or that Indian Jews were present at the feast, whether we believe that by India is meant merely the Punjab and Afghanistan, or little Thibet and surrounding districts. So far as India and the Bible are concerned, we must look to a later period, to the truth that lies at the basis of the tradition about Thomas and Bartholomew, and to the early efforts made by the Nestorians and the Syrian Church to evangelize a large part of it,—efforts so successful that the Portuguese found on their landing on the west coast a large Christian community. This belongs to another and most interesting period of early Indian history, which has yet to be fully investigated.

The first allusion in purely classical literature to India, or the countries that in ancient times went under that name, is in

Homer. In the first Book of the *Odyssey*, in the 23rd and 24th lines we have the following:—

*Αἰθίοπες, τοὶ διχθὰ δαδαιαται, ἰσχυροὶ ἀνδρῶν,
Οἱ μὲν δυσσομένου Ὑπερίονος, οἱ δ' ἄλιοντος.*

This occurs in the opening passage of the poem, where Odysseus is introduced as the man who, of all others, had seen many cities and suffered many griefs. Pitied by all the gods, Poseidon alone was everlastingly angry with him, and had gone to a feast in the land of the Ethiopians. During his absence a council of the gods was held, and the poet takes occasion parenthetically to give an account of the Ethiopians in these lines. They are the most distant of men; they are divided into two parts; some dwell towards the setting of the sun, others towards the rising. It is not impossible that by the eastern Ethiopians the poet dimly alluded to the aborigines of India, who were probably of the same stock as those of Africa, and were at least like them in many particulars, and who inhabited the country previous to the descent and occupation of it by its Aryan invaders, with their Sanscrit speech and Caucasian conformation of face and limb. There can be no doubt that among such early writers on India as Scylax, Hecataeus, Herodotus, and Ctesias, with their vague curiosity and dim knowledge of foreign lands, the term Ethiopians is often used for the aborigines of India. Herodotus (vii. 70) uses the expression *Ἀθίοπας ἀπ' ἡλίου ἀνατολῆς*, and says that they were the neighbours of the Indians, but again (iii. 101) he says *το χρέμα φορέουσι ὁμοίων παντες καὶ παραπλήσιον Αἰθίοψι*, in which he clearly distinguishes between the Indians and Ethiopians. In fact, throughout the whole of early geography and history, the Ethiopians and Indians are confounded, articles of Indian produce being referred to as Ethiopian, and *vice versa*. Thus Ctesias speaks of the *martichora*, a fabulous animal with the body of a lion, the face of a man, and the tail of a scorpion, as being a native of India, and translates the word *ἀνθρωποφάγος*—the man-eater. Professor Tychsen, in the Appendix (iv.) to Heeren's '*Asiatic Nations*,' connects the word with the Persian *Mard*, man, and *Khorden*, to eat; stating that the Persians still use the expression *mardam-khor* as applied to an intrepid warrior. Pliny, in his description of Ethiopia proper, speaks of the *Martichora* as being found in it, and cites Ctesias as his authority. So Scylax, in his description of India, speaks of the fabulous nation of the *Sciapodes* as being Ethiopian, while Hecataeus terms them an Indian tribe. Dr. Schwanbeck gives other examples of this continual confusion between the two countries, not the least interesting of which as a philological speculation is this. He says that the habitat of the crocodile

is, according to early writers, now in India, now in Ethiopia; but it must have had its origin in India, as the word is evidently derived from the Sanscrit *Carataka*; and as the Greeks continually changed the letters T and K, we have *Κροκοδείλος*, as their version or form of it. Every classical scholar knows how Alexander thought that the Nile took its rise in India, and how the products and animals of both countries are continually confounded and mixed.

In Virgil and Horace we meet with many allusions of a very vague and rhetorical character. India and Britain were the two boundaries of the world, and they both continually serve to heighten the statements of these poets. In the *Georgics* (iii. 27) the former sings the praises of Augustus, and represents himself thus :

1 In foribus pugnam ex auro solidoque elephanto
Gangaridum faciam, victorisque arma Quirini.

The Gangarides, who dwelt on the plains of Lower Bengal, are here brought in as being conquered by the emperor, though in reality, no arms of any nation had ever penetrated so far. We have the Ganges mentioned *Georgics* ii. 138, and *Æneid* ix. 31, India as producing ivory, *Georgics* i. 57, and, at still greater length ii. 116—122, and in a strong hyperbole, *Æneid* viii. 705. Horace speaks of Indian ivory, *Carm* i. 31, 6, of the Indian in common with the Mede and Scythian—wondering at the glory of Augustus, *Carm*. iv. 14. 42., and in the *Carmen Saeculare* (56) the Indians, *superbi nuper*, figure in the picture that he draws of the golden day about to dawn on the world. Augustus is represented by him as leading in triumph the Seres and the Indi, *subjectos Orientis orae* (*Carm*. i., 12.56) and again, in his exquisite epistle to Numicius, in which he teaches him *nil admirari*, he says (i., 66.)

Quid censeas munera terræ
Quid maris extremos Arabas ditantis et Indos.

But to quote from these and other classical poets such allusions would be an endless task. It is difficult in these days, when colonization and adventure have unrobed the most distant places of their obscurity and mystery, to draw any parallel between the feelings of the ancients towards India, and our own towards any similarly distant place. But they must have been much the same as those experienced by Columbus and the thinking minds of Europe in the 15th century, when led by this one fact that India did exist and was a land of wealth, they dared danger in its most terrible form, and discovered the land of the west. The knowledge and feeling were much the same, but the practical effect how different !

When, led by this vague and semi-romantic feeling, which even yet prevails in the West regarding India, we come really to grapple with the early ages of its history, we find ourselves utterly prostrated by the impossibility of gaining from it any one certified historical fact previous to the Invasion of Darius. Egypt, with its mighty chronologies and vast dynasties, has at last given forth a sound which seems certain, and rings like that of true history; but India remains like the Sphinx, ever allowing the scholar to solve her mysteries, and unveil her hidden past, and ever destroying those who have attempted it. Egypt has had such scholars as Wilkinson, Bunsen and Lepsius, who have probed her records with untiring zeal and ripe scholarship; but India has not been behind her in this. We must ascribe the greater success that scholars have met with in reference to that country to the fact of her close connexion with the nations of western antiquity, and the undying remains of her arts that so thickly strew the uplands of the Thebaid and the valley of the Nile. But India has a primary political importance which Egypt can never have. No longer the granary of the world, as she was in the best days of the Roman Empire, the position of the latter is but secondary, as the way to conquest and empire, as the stepping-stone to power, rather than the prize with which the conqueror may rest satisfied. Even the cities of the Mesopotamian Doab have given up their dead, and their riddle is already read. Yet India, with all her increased political importance to the nations of Europe, has remained, in her early days, a sealed book.

The two causes that seem to have operated against the production of truthful records in India, and the possibility of an approach to an accurate knowledge of her early history now, are, first, the fact that such records are soon obliterated by the hand of time, if permanent and outward, as monuments and coins, &c., or are lost amid the tramp of the invader and the pillage of the maurauder, if less durable, as books and manuscripts. Secondly, the genius of the race is against the creation of such records. Thoroughly unpractical, if the natural soul of the South-Aryan race will force itself out in thought and feeling, the result will not be that of history or truthful annals, but of such epics as the Ramayan and the Mahabharat, as vast in their extent as they are gigantic in their fancies and imaginings. Hence it is that the India of the past must be gathered from the India of the present, and that, taking our stand on the immutability of Indian civilisation, we must rest satisfied that what we now see existed in unaltered uniformity thousands of years ago. You cannot do for the early poetry and literature of the Hindu what such men as Niebuhr, Thirlwall and Grote have done for that of the Greek and Roman. You cannot,

while disbelieving that an actual Achilles fought, or a real Romulus reigned, be certain that the facts have a true basis. Were Niebuhr or Grote to apply to the Vedantic Literature or Heroic Epos of India the same Baconian tests that they have done to the history of Rome and Greece, the residuum would be monstrous fable or utter nothingness.

Without striving to attempt this for Indian literature proper, however, it may be done with some success for those portions of it where it comes into contact with the West. Previous to the first purely historical fact—the Invasion of Darius, we have four legends or myths which meet us at the very outset. They are

- 1.—The legend of Dionysus B. C. (1,457?)
- 2.—The legend of Semiramis, who is said to have invaded India..... 1,978
- 3.—The legend of Ramesses-Sesostris, according to Dr. Hales B. C. 1,808, or according to Lenglet..... 1,618
- 4.—The legend of Herakles..... 1,300

The authority that we have for these legends, whom we shall presently take up, is Ctesias, as followed by Diodorus Siculus and Ælian. There can be no doubt as to their untrustworthiness, but at the basis we may find a little truth.

The legend of Dionysus or Bacchus, and his connexion with India under the name of Parashri, is one of the most famous in antiquity, while in its details it is at the same time the most varied. It has ever been a favourite of the poet in both ancient and modern times. The following by Dr. Croly, on an antique gem of Bacchus, we think exquisite. It is headed

THE EDUCATION OF BACCHUS.

"I had a vision!—"Twas an Indian vale,
Whose sides were all with rosy thickets crowned
That never felt the biting winter gale ;—
And soon was heard a most delicious sound ;
And to its music danced a nymph embrowned
Leading a lion in a silken twine,
That with his yellow mane would sweep the ground,
Then on his rider fawn—a being divine
While on his foaming lips a nymph showered purple wine."

Born of Zeus and of Semele, the daughter of Cadmus, according to the common story, he was persecuted by the jealous Hera, and his infancy exposed to the most imminent danger. Accompanied by Hermes however he was protected, and when exposed on Mount Nysa in Thrace, was watched over by many nymphs. The Mount Nysa from which he derived his name—Dionysus or Nysa-sprung—is found in many quarters of the ancient world, and there

were few mountains where he was worshipped, to which this name was not applied. This fact is of importance in reference to his connexion with India. When he grew to manhood the jealous Hera still afflicted him, until being thrown into a state of madness, he wandered all over the East, through Egypt, where King Proteus received him, through Syria, where he slew Damascus, over the Euphrates and Tigris, where a heaven-sprung tiger assisted him, and at last, reaching India, he spent, some traditions say three, others fifty-two years in subduing its fierce tribes, and teaching them cultivation, the pleasures of the grape, and the arts of civilisation. Up to the point of his visiting the East, the general statement is borne out by all traditions, but after that they vary. Euripides in his *Bacchæ* represents the god as speaking of Bactria as the farthest limit of his travels. He says—

Leaving the Lydians' gold-abounding fields,
The Phrygians' and the Persians' sun-struck plains,
The *Bactrian* walls, and Medians' rugged land,
I came to Araby the blessed, and all
The coast of Asia, where it stretches out
Along the briny sea, where many Greeks
Mixed with barbarians dwell in fair-towered towns—
At length arrived in Greece, I here am come,
That by my dances and my solemn rites
I may assert my high Divinity, &c.

From that point, through the accounts of Pausanias, Plutarch and Diodorus Siculus, the limit is extended, until he is made to conquer all Asia, and India in their widest sense, and to return in triumph as only such a god can triumph.

Arrian in his *Anabasis* introduces him at the city of Nysa on the banks of the Cophen, near the modern Cabul, which surrendered to Alexander the Great. Wearied with the series of campaigns through which they had passed, and the deserts which they had crossed, the historian, always accurate, trustworthy and common-sense, following Ptolemy and Aristobulus, represents the troops of Alexander as delighted at seeing the ivy and laurel there. Abandoning themselves to the riotous pleasures of the Dionysia, the army then *Bacchanted*, (if we may use the expression) for some days, hymning psalms of praise to the god, the limits of whose conquests they had reached, the extent of which their leader Alexander, a second, yea, a greater than Dionysus, would overpass.

“And brighter still the glory grew ;
The wine-god drops his sparkling chalice :
Each wild Bacchante's eyes dropt dew,
As sweet as flowers by Lydian Halys.

All bow before
Such tones of power
As ne'er Tyrrhenian trumpet blew,
Nor yet were woke when Indian valleys
Heard the Panic Eillelen."

Near to the city was Mount Meros, the modern Meru, so called in allusion to the legend of the god having sprung from the *high* of father Zeus.

There can be little doubt but that all these adventures and names were created by the army themselves, and, as too often in later days, willingly acquiesced in and coloured by the people of the district. Thirlwall, in his History of Greece, has at this passage of it an interesting note on the subject. Quoting Bohlen's "Indien," he conjectures that the range of Parapanisus was properly Parapanisus, or *above Nisa*. It is remarkable that the sun has the name of *Suradevas*, the wine-god, and is born of *Nis*, night. Ritter in his "Asien" prefers the derivation *Paro vami*, the mountain city. The origin of the story may be seen still farther from the fact, that nothing is so common as the grape in these districts, even in modern times, as every denizen of Calcutta knows. The fact then of meeting with the sunny grape of their fatherland in this far off region, a resemblance between the native names of the districts round about, and those belonging to Greece, a rumour already existing that Bacchus had conquered a large part of the East, the desire of the soldiers to praise their general and themselves, and of Alexander to gratify his own ambition as having done more than a god, and to induce his war-worn soldiers to attempt new conquests—all these may have combined with other causes to give rise to this part of the legend of Dionysus.

As the basis of it we have little more than this, that it represents the early longing and dim aspirations towards the East, as well as the obscure ideas entertained of it in antiquity. Dionysus is the personification of a power of nature, life-giving, joyous and ethereal. It is his spirit that fills the soul, when it is carried away from the sober and routine realities of daily life, and elevated into a region of joy and unconsciousness. It is at this point that the god becomes the patron of the tragic art, that was first based on the lyric, the chief law of which is unconsciousness. This careless joyousness was pre-eminently the character of the Greek, and hence, not in the vulgar sense of the god of drinking, but in the far higher one of the inspirer of freedom from care and joyous life, no divinity was so popular as he, no games so well attended as his. To the East, in its wide and

general extent, the Greeks looked, as the abode of such ; and hence the popular myth represents the god as overcoming it, and returning from it in gay and festive triumph, and spreading joy by means of the vine on every side. Hence the poet addresses him :—

“ Where art thou Conqueror ? before whom fell
The jewelled kings of Ind, when the strong swell
Of thy great multitudes came on them, and
Thou hadst thy thyrsus in thy red right hand,
Shaking it over them, till every soul
Grew faint as with wild lightning.”

We question if any actual hero or real personage can be looked upon as the basis of the legend. Beyond this then, the story of Dionysus tells us nothing of India,—that part of it seeming rather to be an accretion to the general and original germ, though from it later writers developed the whole.

The legend of Semiramis is almost as much overshadowed by the mythological and supernatural as that of Dionysus. Its origin is to be found in Ctesias, as rendered by Diodorus, but that early writer's statements on Assyrian history are untrustworthy. The whole of the early history of both Babylon and Assyria is, except when touched upon by the Old Testament, purely mythical. The Mosaic account makes Assyria but a colony of Babylon, while Ctesias reverses the order, and represents the former, as it always was represented in Greek History, as by far the greatest empire of antiquity. The legend states that Ninus founded the Assyrian Empire, and built Nineveh. Sprung of a Syrian youth and Derceto the fish-goddess of Ascalon, she was in her origin immortal. Her whole early life was one of special preservation by the gods, seeing that from shame her mother exposed her in the neighbouring hills. Fed by doves, she was adopted by a shepherd, Simmas, who bestowed on her the name by which she is generally known. One of the King's generals married her, and while the Assyrians were engaged in the siege of Bactra she was in the army with her husband. When the efforts of Ninus had failed to take the city, she herself, with consummate courage and ability, approached the walls with a band of followers, leapt up upon them, and soon obtained possession of the town. The Amazonian character which she now gains, she preserves throughout the rest of the story. From gratitude Ninus raised her to be his Queen, and on his death she succeeded to the throne of Assyria. She inaugurated her reign by building all over the surrounding district immense works which were the wonder of antiquity ; and in the desire to account for which, probably, the main features of the legend arose. Beginning then her career of

conquest, she subdued Egypt, overran Ethiopia, and subjugating all Asia, found her Empire limited, to the south, only by India. Diodorus lingers in evident wonder over the gigantic preparations that she made to conquer it, and over the terrible defeat with which she met. From his record however we have little information as to the character of Indian states, or of their products, customs, laws and government. Retiring vanquished, she continued to reign till, after forty-two years, she appointed her son Ninyas as her successor, and vanished upward in the form of a dove.

Throughout the whole of this, the vast and supernatural continually meet us, and we can treat it as nothing more than one of those Myths, that, in Assyria as everywhere else, cluster round the foundation of an infant state, giving to it the lustre of poetry and the dim grey hoar of age. From the extent of the early Assyrian and Babylonian empires, there can be little doubt that they touched upon the countries generally known as India, and that contests may have often taken place on the frontier, nay even a vast expedition may have been planned and carried out. But beyond this we cannot go, and some better authority than Ctesias must be found for the historical truth of the legend of Semiramis, the goddess of the dove, the Asiatic Aphrodite.

The legend of *Rameses-Sesostris* seems to have in it more of a historical appearance; but even here there is doubt and uncertainty. The researches of recent scholars have shewn, with some degree of probability, that *Rameses ii.*, or the Great, and *Sesostris* are the same personage. He was the third King of the nineteenth dynasty, and a full account of his expeditions and conquests is given us by Herodotus and Diodorus. From the extent of his public works, and the whole character of his home government, not a few authors have held him to be the Pharaoh of Scripture. Be that as it may, we have sufficient historical ground for believing in the existence of some such great conqueror as *Sesostris* is represented to have been, from the numerous *stelae* which he everywhere erected as the memorials of his deeds, and many of which existed to a late period in the history of antiquity. Herodotus tells us of two that he himself saw in Syria, and in recent times one of these has been discovered, on the road to Berytus, with a half-defaced inscription, in which however the name *Rameses* may yet be traced. Another, though all are not agreed that it was one of the *stelae* of *Sesostris*, has been discovered near Nymphæum. According to the account of Diodorus, his father caused all the boys who were born on the same day to be trained along with him, that in future they might be his most able assistants and advisers. Their first

expedition was into Arabia, and afterwards into the west of Africa. When on the throne he first directed his attention to the internal government of the country, dividing all Egypt into thirty-six provinces, with a governor at the head of each. Having made immense preparations both by sea and land, he subdued Ethiopia, and crossing over to Asia, he overran the whole continent. India in its widest extent to the east, if not to the south, was included in his conquests, so that he swept the whole Gangetic valley, and reached a spot where conqueror had never been before—the coast of the Sinus Gangeticus. Returning northward he subjugated the Scythians, left a colony in Colchis, long afterwards noted for its Egyptian manners, and was only stopped in Thrace by the scarcity of provisions. Thus the Danube was his boundary on the north-west, the Ganges on the south-east, and there were few countries where there was not a *stela* with this proud, and in his case by no means boastful, inscription:—"Sesostris, king of kings and lord of lords, subdued this country by the power of his arms." Returning to Egypt he adorned his land with the spoils of vanquished nations, and the graces of art and architecture, till becoming blind in his old age, he committed suicide, and died with the character of being the greatest conqueror of his own or any age. While from the existence of these *stelae*, and the testimony of such authors as Manetho and Herodotus in early days, and Tacitus in later, there can be little doubt as to the truth of the general outlines of this career of conquest, we have no details as to India, and no evidence as to the statements regarding it being anything more than a wide and sweeping assertion. It is said that Danaus, who colonized the Peloponnesus, was his brother, and being discovered in a conspiracy which had for its object to murder him on his return from his conquests, was obliged to take refuge in flight.

The last of the legends with which we have to do is that of Herakles; and this is as brief as it is historically unsatisfactory. Of all heroes, he is the most universal, and there are few countries and few literatures in which we do not find a trace of him. He is the cosmopolite of heroes, and hence it is by no means wonderful that he should be represented in India. He performs the same part in the early settlement and civilisation of tribes in antiquity, as Brutus does in those of the dark ages. His footsteps are everywhere, until he seems by universal consent to have been looked on as the incarnation of those who must carry out the primary processes of civilization, such as clearing the woods and jungle, subduing wild beasts, and destroying all that is inimical to the existence of man, as well as to his safety and comfort. He is not therefore in all his deeds and characteristics one being, but the representative

hero of antiquity. Pliny in his 'Natural History,' gives to him in his Indian form, the name of *Διοσκóρης*. Arrian in his 'Indica' alludes to him, and the Greeks believed, in this case as in so many others, that there was a correspondence between the mythologies of their own land and those of India, and that in him they recognised their own Herakles. In India, he is said to have married Pandæa, and to have become the founder of a long dynasty of kings. The great war between the Kooros and Pandoos, and the battle fought on the plains of Koorookshetra were taken part in by him. He, along with Krishna, Judisthir and his four brothers, was the hero of those glorious exploits which form the chief subject of the Mahabharat. Throughout the whole of the legend regarding this we find continual references to countries beyond the Indus and Himalayas, and traces of customs which are new to the Hindus and evidently of Scythian origin. The whole of the lunar race of kings was of Scythian origin, and Bhuddistic in their belief. Certain it is that the Greek army of Alexander continually recurred to him as well as to Dionysus, and that in the dreadful struggle at the rock Aornus, so graphically and fancifully related by Curtius, Alexander rejoiced that he had reduced a stronghold which Herakles himself had not been able to take. When Alexander had reached the Hyphasis and his soldiers refused to advance further, the conqueror, foiled in his ambition, was forced to return; and as he dropped down the river, amid mighty sacrifices and sacred libations, he invoked Herakles to assist him and favour the remainder of his enterprise. When he reached that point at which the Hydaspes falls into the Acesines, he encountered a tribe who from their name seem to have been followers of Shiba, and from the use of clubs and the sacred mark in their faces were thought by the Greeks to be the descendants of Herakles. Curtius thus speaks of them. (IX. 14.) "*Hinc decurrit in fines Siborum. Hi de exercitu Herculis majores suos esse memorant; aegros relictos esse, cepisse sedem, quam ipsi obtinebant. Pelles ferarum pro veste, clavae tela erant; multaque, etiam cum Graeci mores exolevisent, stirpis ostendebant vestigia.*" And when, having overcome this tribe, they entered the country of the Oxydrace and Malli, and saw new dangers before them, Alexander encouraged them by saying that they should pass the limits of the conquests of Father Bacchus and Herakles, and their retreat from India should seem to be not a flight but a triumph. "*Herculis et Liberi Patris terminos transituros, illos regi suo, parvo impendio, immortalitatem famæ daturus. Paterentur se ex India redire, non fugere.*" (IX. 16.) Herakles appears in the Hindu Pantheon as Bulurama or Buludeva, who founded the famous city of Patuliputra, and the dynasty that there afterwards rose to such

eminence. He is said to have also founded Muhavelipúr in the Carnatic and Balipúr in Beder.

Such are the four legends in which India seems to be connected with the West, but which yet give us almost no intelligible or valuable information regarding it. If we adopt the theory of most modern Ethnologists and students of Comparative Philology, that the Indi and Pelasgi are but the southern and northern branches of the same Indo-European stock, which sprang from the plains of Iran and constitute the great Aryan race, then we have a sure basis on which to rest the common origin of these traditions. However different the characteristics and civilisation of these two races may now be, in early days, when both were progressing in the race of refinement, they seem to have very much resembled each other.

The great difference arose thus ; when the southern race reached a certain platform of civilisation it ceased, its social organisation became stereotyped, and its beliefs immutable, so that all was conservative and as it were fossilized ; while the northern, in more favourable climatic circumstances and in closer contact with the first depositories of knowledge—the Semitic race, went on from one degree of polish to another ; empire succeeding empire and literature literature, till the salt of Christianity was introduced, and new triumphs were achieved. The progress of the race now seems capable of indefinite extension, while the highly civilized South-Aryans seem to be but savages. If there is any truth at the bottom of this theory, as we believe that there is, then we have at once a reason for these legends. They are the product of minds strongly resembling and having an affinity for each other, and springing from a common source, they have a common character.

We now come to firm historical ground—the expedition of Scylax, and the consequent Invasion of India by Darius Hystaspes, (B. C. 508.) This introduces us to the conclusion of our subject,—a short account of the principal authors from whom the ancients drew their knowledge of India. We cannot give the slightest credit to the statement that Cyrus the Great invaded India and met with a repulse. The whole details of the life of that prince are involved in obscurity and romance. Darius was a king in every way fitted to consolidate that empire which the genius of Cyrus had founded, and the ambition of Cambyses had extended. Having fitted himself for government by careful training in the court of Cyrus and the camp of Cambyses, and under the eye of his father Hystaspes who was satrap of Persis, he was ready to seize the throne as soon as there should be an opportunity. Quelling a revolt of the Babylonians in 513 B. C., he undertook his great expedition against the

Scythians, who even then began to threaten the peace of the southern provinces. Desirous to extend the limits of his empire also to the south, he fitted out an expedition under Scylax, a Greek of Caryanda in Caria, with whom he associated other men of ability and adventure. This started from the city of Caspatyrus and the country of Pactyce, and sailing down the Indus to the sea and keeping to the westward, they passed through the straits of Babelmandeb, up the Red Sea, and seem to have ended their voyage at a place near the modern Suez. This was not the first great voyage of adventure and discovery. Herodotus in the Melpomene (42) tells us that Neco of Egypt, having finished the digging of the canal through the Isthmus of Suez, sent certain Phœnicians in ships to circumnavigate Libya. Setting out from the Red Sea, they sailed through the southern ocean. Every autumn they landed and sowed the coast with corn, waiting for harvest. Having reaped it, they put to sea again. Thus having spent two years, in the third they doubled the pillars of Herakles and arrived in Egypt, relating things, which Herodotus naively remarks, "do not seem to me credible, but may to others, that as they sailed round Libya, they had the sun on their right hand." An attempt was afterwards made to circumnavigate Libya by one Sataspes, of the Achæmenidae or royal family of Persia, but unsuccessfully.

Having received the report of Scylax and his co-adjutors, Darius prepared a vast expedition against India, and entering it seems to have rendered the whole of the Modern Punjab and Sind tributary to himself. All that Herodotus says is, that Darius subdued the Indians and frequented this sea. But in the list of the thirty Satrapies that composed the Persian empire, he afterwards mentions India as paying tribute to the value of 600 talents of gold, or as Major Rennell more probably conjectures, of 360, a sum four and a half times as much as the revenue yielded by the rich provinces of Babylon and Assyria, and equal to about £500,000.

Scylax then meets us as the first author who has pretended to give a historical or descriptive account of India. The question has however been much agitated by critics, as to whether this Scylax really did write or was only a discoverer. Niebuhr distinctly inclines to the opinion that there was a second Scylax who lived in the reign of Philip of Macedon, about 350 B. C. and who wrote a *Periplus*. The matter is settled by Niebuhr on internal evidence, while other critics hold that the author of the *Periplus* is the navigator of Darius. We know that Scylax of Caryanda was specially sent to report on the state of the southern seas and coasts ere Darius should commence his expedition, and whether the report given in by him is extant or not, it

must have been in the time of subsequent writers on India, who have drawn from it most of the statements current regarding that country till the time of Megasthenes. Dr. Schwanbeck has the following passage on the subject :—

“Scylacem de hoc itinere librum conscripsisse, ex eo apparet, quod complures eius loci afferuntur, et quod a Stephano Byzant. (s. v. *Καρύανδα*) *Σκύλαξ παλαιός λογογράφος*, a Strabone (p. 658.) *Σκύλαξ παλαιός συγγραφεύς* commemoratur, quamquam alio loco (p. 583.) periplum quoque eum, qui superest, Strabo non recte ei attribuit. Intelligimus autem ex illis locis, Scylacem præter Indum, Caspapyrum et Pactycam terram plura de fabulosis Indiae gentibus dixisse, ex quibus apud Philostratum memorantur, *Σκιάποδες*, *Μακροκέφαλοι*, apud Tzetzam *Σκιάποδες*, *Ὠτόλικοι*, *Μονόφθαλμοι*, *Ἐντοκοῖται* vel *Ἐντοκτόντες*”

By whomsoever the Periplus may have been written, it seems, as it appears in the “Geographi Græci Minores” of Hudson, to have come down to us in the form of an abridgement. Previous to Scylax, whose date is generally fixed at about 508 B. C., Anaximander the Milesian was the only great geographer (B. C. 608.) He is said by Diogenes Laertius not only to have first invented or introduced the use of the Gnomon into Greece, but to have first constructed maps. We have no evidence as to this, beyond the statement of Diogenes, and none as to whether, if he really did construct maps, he was aware of the existence or locality of India. He was more of a philosopher than of a geographer, and as the disciple and pupil of Thales, holds an important place in the history of the Ionian School.

The report given in by Scylax to Darius Hystaspes, and the early traditions previously afloat regarding India, seem to have been the sources of the Indian knowledge of the next writer on this subject—Hecataeus the Milesian. He was at once a logographer or annalist and geographer. Born B. C. 550, he was in the prime of life about the outbreak of the Persian war, against the revolts that led to which, he with wise prudence dissuaded his countrymen. Although his advice was rejected both at the beginning and throughout the whole conduct of the war in Ionia, he yet did his utmost to mitigate its severity and bring it to a favourable conclusion. A man thus of action, and also a man of wealth, he was well fitted to be a successful and an accurate historian. His two great works are his geographical treatise *Periegesis*, and his historical *Genealogia*. He stands before us as one of the greatest writers of early antiquity, whose accuracy and style have been alike praised by subsequent authors, and from whom Herodotus drew much of his information, while at the same time he controverts many of

his statements. Had his works come down to us, he rather than his rival might have been viewed as the Father of History. He was much more of a critical historian than Herodotus, while his accuracy is seen in the particular attention that he pays to the distance of places from each other. His *Periegesis* was divided into two parts,—the one confining itself to Europe, the other, in which he treats of India, takes up Asia, Egypt and Libya. He must not be confounded with Hecataeus of Abdera, who accompanied Alexander the Great on a part of his expedition, and also wrote a work on Egypt. The writings of the Milesian Hecataeus have unfortunately come down to us only in fragments. Contemporary with this author was Dionysius of Miletus, whose great work was a History of Darius Hydaspes, in which he probably introduced India. Other works are ascribed to him, but without sufficient reason.

As Hecataeus follows Scylax in his statements regarding India, so Herodotus seems to have followed Hecataeus. Modern critics do not however go the length of Porphyry, who asserts that Herodotus took whole passages from the *Periegesis* only slightly altering the language. Hecataeus is mentioned by Herodotus only four times throughout his History under the name of *λογιστής*, a name which Arrian applies to both. Herodotus followed Hecataeus more as a guide than a leader, more as one whose recent statements he could compare with the information that he himself procured, and perhaps occasionally supplement. Moreover every reader of the old Father of History is aware how often he speaks of himself as an eye-witness of the wonders that he describes,—a thing in many cases not impossible; so that we must either generally admit the originality of his work, or at once take from him all pretensions to honesty and credibility. After the attention given to Herodotus and his statements regarding India in a previous number of the *Review*,* it will be unnecessary to enter fully into the subject now. Born in the Doric colony of Halicarnassus in Caria B. C. 484, he grew up as a boy near to the scenes of the Persian war, and lived on through that century till the beginning of the Peloponnesian struggle. The statements regarding his travels, and the places at which he wrote his History, are most contradictory, and need not delay us here. The account of Pliny is perhaps that with which we should rest satisfied, that he wrote his work in his old age at Thurii, whither he had retired after the first colonists, and where he died.

While the main object of his work is to give an account of the war between the Greek and Persians, he has collected in it the

* Vol. XXVI. p. 24.

fruits of his reading, which seems to have been co-extensive with the literature of his country as it then was, and the results of his large personal experience. While there can be no doubt that the part of his work on Egypt is the most full and extensive of all, and that his statements regarding far distant countries, such as Scythia and India, are to be the less credited in proportion to their distance, yet even in reference to the latter, succeeding writers and discoverers have shewn a wonderful accuracy in outline, if not in detail. He himself does not seem to have visited any place in the interior of Asia more distant than Susa. The information that he gives regarding frontier countries is introduced as a digression from the main object of his history. His account of Persia leads him to India as one of its Satrapies, and the history of Darius Hystaspes to Scythia, against which he made his great expedition. The facts that he gives us regarding these must have been derived from purely Persian sources, in addition to his predecessors Scylax and Hecataeus.

Contemporary with Herodotus, but working probably independently of him, we have three historians, who in their works seem to have treated more or less of India. Hellanicus of Lesbos is the most eminent of them. His times embrace almost the whole of the 5th century B. C. We know little of him, and that little as given by Suidas is very confused. His life seems, like that of contemporary logographers, to have been spent chiefly in writing and travelling. His works are very numerous, but the only one with which we have to do is his "Persica." It exists now in a few fragments, but originally contained the history of Persia, Media and Assyria, from the mythical times of Ninus to the age of the writer. Of the three divisions of his works given by Preller, the genealogical, chorographical, and chronological, it comes under the chorographical. As a historian he enters more into detail than Herodotus, and Thucydides says that his chronology is far from accurate. He seems to have been more of a compiler than a historian. Damastes of Sigeum is the second of this group, whose works in their entirety are lost to us, and who is known rather as the authority and source of the information of later writers. His History of Greece, and Catalogue of Nations and Towns, were his two principal works, but it is his "Periplus" that gives him a place in our list of classical authors who have written about India. In this work he is said to have chiefly followed Hecataeus. Eratosthenes the great mathematician, geographer and critic of Alexandria in the time of the Ptolemies (200 B. C.) follows him in some of his works, and is censured by Strabo for so doing. Charon of Lampsacus completes this group of early logographers. His exact age is very doubtful; some critics putting him before Herodotus. He

flourished B. C. 464. Amid many other works he wrote the 'Ethiopica' and 'Persica,' in both of which he seems to have treated of India, probably repeating what former writers had stated.

We pass from these men, who are to us mere shadows, and exist only in the fragmentary quotations of later writers, to Ctesias, who has ever formed an object of interest and discussion to the historian and the critic. Born at Cnidus in Caria, he was trained to the profession of medicine, in that, the most famous medical school of early antiquity. He bridges the distance between Herodotus and Xenophon, and may be said to have been the contemporary of both. He became physician to the Persian King Artaxerxes Mnemon, even as his countrymen Democedes and Hippocrates had been before him. Xenophon in his 'Anabasis' tells us that he was present during the war between the king and his brother Cyrus. He continued at the Persian Court for seventeen years, but finally returned to his native Cnidus, where he systematized and arranged the information that he had been heaping up in Persia, and wrote out his works. We cannot expect from Ctesias anything more than a view of history and of the past such as the Persians themselves had, and their ancient annals contained. His post as private physician to the Emperor—one of great responsibility, activity and confidence, seems to have opened to him sources of information never before accessible to any Greek historian.

There is no reason to doubt his trust-worthiness in the use of these records, and of the information that he had personally obtained; but we must doubt the correctness of the records themselves. They were Persian, they gave an account of Persia and her frontier and subject countries as painted by the Persians themselves. With the mendacity peculiar to Orientals, with the high-flown rhetoric and bombast which are no less their characteristics, with the natural tendency to exalt themselves at the expense of all other nations, we cannot expect to find in these accounts of Ctesias a fair, and in all respects historical, account of the subjects on which they treat. Hence it is that the early Assyrian history seems to be purely mythical. The chief works of Ctesias are his 'Persica' and his 'Indica,' both thus viewed from a Persian stand-point. His object in writing the former was to give to the Greeks—what he believed the work of Herodotus was far from giving them, an accurate knowledge of the Persians. Hence between the two the truth may possibly be found. In his account of India, he seems to have largely followed Scylax, and may have read in the Persian Archives the original report drawn up by him for Darius Hystaspes. The work exists only in the very wretched epitome of Photius, and

the part of it that he has preserved is the most fabulous. Yet a subsequent knowledge of the north-western parts of India has served to shew that the statements of Ctesias, as well as those of his predecessors, are by no means without a foundation of truth.

The period between Ctesias and the invasion of India by Alexander the Great, which opened up new sources of information, is filled up by two historians of whom we know little more than the names—Ephorus of Cumæ and Eudoxus of Cnidus. The former is the first who made an attempt at writing a Universal History, beginning with the return of the Heraclidæ, and continuing till the year 341 B. C. It contained thirty books in all. He flourished in the times of Philip of Macedon, and was a most successful pupil of the orator Isocrates. His work contained an account of the barbarian nations and included India. It was finished by his son Demophilus, and continued still further by Diyllus. He is looked upon by later writers, as Polybius and Strabo, as a clear and accurate historian; though many charged him with wilful inaccuracies in the places where he differed from preceding authorities. Eudoxus of Cnidus is better known as a philosopher and geometer than as a geographer, as the pupil of Plato and afterwards his enemy, than as an adventurous traveller. He lived about B. C. 366. His observatory at Cnidus was a famous one, and he is said to have invented and constructed many astronomical instruments. The work in which he seems to have mentioned India, and of which Strabo speaks, is his *Ἱστορίαι*, though some think that this was written by a different Eudoxus.

The next great historical event, in which India and the West come into contact after the invasion of Darius Hystaspes, is the expedition of Alexander the Great. Undertaking it, not merely because its north-western districts were embraced in the Empire of Darius, but because it presented a new world to him worthy of his conquest, he furnishes us with one of the grandest pictures in the history of antiquity. Wearied with previous campaigning, covered with wounds and the toil of war, when the general and his soldiers entered upon its fertile plains, they seemed to renew their youth and their strength. Alexander's intention was not merely to subdue what had formerly been subject to Darius, and, like Nadir Shah in succeeding times, appear like some terrible meteor for a time and then vanish away: he seems to have formed a regular scheme of conquest, and to have set his heart on not merely equalling, but surpassing all the fabled deeds of Æther Dionysus, all the exploits of Semiramis and Sesostris, all the wonders of his ancestor Herakles. Even when his eager ambition received a check on the banks of the Hyphasis, when his soldiers refused to advance further and

overcome the Prasii and Gangaridae,—of whose power and splendour the young Chundra Gupta, who seems to have visited his camp, had told him—even when he reluctantly turned his steps to the West, and looked towards home, he but settled on new schemes yet to be accomplished. His reason for accompanying Nearchus down the Indus, and fitting out the great maritime expedition which that admiral successfully conducted up the Persian Gulf, was that thus he might have information, and a new world for future conquests and future commerce. When, after his terrible march through the burning deserts of Gedrosia and the jungles of the Doab, he was seized with fever and was dying at Babylon, his design was clear—to get rid of his Macedonian veterans who had opposed his ambitious wishes, and by a mixed army of disciplined Persians under Greek officers,—like our British Sepoy-army now—and new recruits from Macedonia, to return once more to the banks of the Hyphasis, and thence to commence a career of triumphant conquest, that should not cease till the Macedonian standard should wave over Palimbothra and the Gangetic valley, and he should take possession of the Bay of Bengal in the name of the gods, as of old he had of the Indian Ocean.

The expeditions of this pupil of Aristotle were not merely warlike, they were scientific. Attended by men who had received the first education that Greece could afford, and himself of high ability and powers of observation, if the full results and records of his campaigns had come down to us, we should have had a knowledge of Central Asia and Northern India, far superior to that possessed by Europe at any time till fifty years ago. But it unfortunately happens that, notwithstanding the number of Greek *savans* and writers by whom he delighted to be accompanied, we have our information but at second-hand; and were it not for the accurate and trust-worthy Arrian, who lived four centuries after, we should have had nothing but a mass of fable and conjecture. Though, however, the original records of that great expedition have not come down to us, to Alexander and his army must we ascribe the popular myths that were afterwards current in antiquity regarding India, and which, increasing as they grew in age, gave rise to and nursed the adventurous spirit of the Italian Republics, the spirit of discovery of the Portuguese, the dreams of a Prester John and a land of gold, the enquiries of an Alfred the Great, and the travels of Sir John Mandeville and other early chroniclers. Every old veteran, as he retraced his steps homeward through the populous cities of Persia and Asia Minor, or as he sat under his own vine and his own fig-tree, fought all his battles o'er again, had his own ever-new story to tell of the wonders that he had

seen, and his own little knot of interested listeners, who magnified them as they extended them. The last relic of this strange spirit of curiosity, based in early days on unavoidable, and in later times on wilful ignorance, a curiosity and an ignorance fostered by the British and the East India Company until a recent period, is seen in the Indian novels of the early part of the present century, where every old Indian was of necessity a Clive, whose ill-gotten wealth was untold, whose crimes had been of the blackest die, and whose just fate was that of the suicide.

Of all the authors who accompanied Alexander, and who were eye-witnesses of and actors in many of the events that they relate, Ptolemy the son of Lagus, and Aristobulus, the son of Aristobulus, were the most trust-worthy. Arrian, in his introduction to his 'Anabasis,' gives sufficient reasons why he should trust their accounts above those of all others. Ptolemy, though of ignoble origin on his father's side, speedily raised himself to a high position at the Court of Philip, and when Alexander set out on his Asiatic expedition, was one of his most intimate friends and advisers. He took a prominent part in all the exploits of the Indian campaign, and on one occasion saved the life of Alexander himself. On the death of his master, foreseeing that the empire must be broken up, he secured Egypt for himself, and after a series of wars with the other generals, laid in security and splendour the foundation of that dynasty, which received liberty and literature when they fled from Greece, and which became finally extinguished in the person of the beautiful Cleopatra. When he was fairly seated on the throne of Egypt, he became a most munificent patron of literature and the fine arts, a taste which he handed down to his favourite son and successor—Ptolemy Philadelphus. He seems to have employed the latter years of his life in writing the history of Alexander and his expedition, in circumstances very favorable at once to its truthfulness and graphic fullness. He died B. C. 283. Of Aristobulus we know much less. He belonged to Cassandreia; accompanied Alexander in all his campaigns; lived till the age of ninety years; and like his contemporary wrote his history during the last six years of his life. So much Lucian tell us; and Athenæus, besides Arrian, often refers to his work.

Baeton and Diognetus were both employed in the scientific *suite* of Alexander, accurately to measure the distances in his various marches. They are hence called *βηματισταί*, and are both mentioned by Pliny. The name of the work of the former is *Σταθμοὶ τῆς Ἀλεξάνδρου πορείας*. Cleitarchus was another of the historiographers who accompanied Alexander in his expedition. He was the son of Deinon of Rhodes, the writer whose work on

Persia Cornelius Nepos considered so trustworthy. Many critics have supposed that the work of Cleitarchus formed the basis of that by Quintus Curtius. He seems to have been more of a clever rhetorician than an accurate historian, and is often censured by later writers for his inaccuracy. Strabo and Arrian speak of an Androsthenes of Thasus, who was an admiral in the fleet of Nearchus, and wrote an account of the voyage, as well as a work entitled *Τῆς Ἰνδικῆς Παράπλους*. Another and more famous admiral in that expedition was Onesicritus, who was with Alexander throughout the whole of his campaigns, and was distinguished especially for his skill in seamanship, a knowledge of which he must have derived from his native island of Ægina. It was he (for he was a disciple of the Cynic philosophy) who had an interview with the Brahmans or Indian Gymnosophists; and in the fleet he seems to have been second only to Nearchus, since he held the important post of pilot of the King's ship, for his services in which capacity he was rewarded in the same way as Nearchus, with a crown of gold. Diogenes Laertius gives us a full account of the work of Onesicritus. Beginning with the youth of Alexander, he traces up his whole history, interspersing with it many stories that are purely fabulous, or that do not rest on sufficient evidence. His is the honour of having been the first author to mention Taprobane or the island of Ceylon.

Of all these men however Nearchus was the most famous. A native of Crete, we find him holding high office in the Court of Philip of Macedon; and like Ptolemy, whom in many respects he resembled, one of the chosen companions of the young Alexander. Joining his master in the course of his Asiatic expedition at Bactria, he was afterwards appointed to the command of the fleet of the Indus and the Persian Gulf. Throughout the whole narrative of Arrian he is highly praised for his tact, his skill, his firmness. Even when attacked by the Oritæ, when he had to put back into one of their harbours, he shewed himself to be something of a general; leading the fleet through unknown seas and hidden dangers, when the fabulous and the superstitious combined together to render everything terrible. He at last reached the Anamis in Harmozia, and there met Alexander. Continuing his voyage up the gulf, in February (324 B. C.) he finally reached Susa, and was nobly rewarded by his master. Vincent, in his work on the "Commerce and Navigation of the Ancients in the Indian Seas," has tracked Nearchus in all the details of his voyage, and has also entered fully into the interesting question as to the authorship of the work that bears his name, and from which Arrian has taken the greater part of his *Indica*. The best geographers of later days bear evidence to the accuracy of his geographical details; and succeed-

ing discoveries by travellers have only tended to confirm statements that before seemed to be utterly fabulous.

The only other writer of this age, of whom we need now speak, is Evemerus. Born in Sicily, he flourished at the Court of Cassander in Macedonia, about 316 B. C. He was previously trained in the school of the Cyrenaic philosophers, and to such an extent had their religious scepticism become attached to him, that among his contemporaries he was viewed as an Atheist. He was certainly the arch-rationalist of his time. Eusebius tells us that Cassander sent him on an expedition of discovery down the Red Sea, and along all the coasts washed by the Indian ocean until he reached the distant isle of Panchæa. The work in which he gives an account of his travels is his *ἱερὰ Ἀναγραφή*, a title in which he lays claim to having taken the facts of his history from public documents. In many of his statements he seems to have been far in advance of the age in which he lived, and he betokens that decline in the hold which the popular religion took on the minds of educated men, and which prepared the soil for the introduction of the truths of Revelation.

The information which antiquity gained regarding India from the expedition of Alexander was soon increased and rendered more accurate by the third great historical event—the Invasion of its Gangetic districts by Seleucus Nicator. On the departure of Alexander from the provinces that he had conquered in India (B. C. 327), Philip son of Machatas was left as Satrap. The Malli and Oxydracæ, afterwards conquered, were also added to his Satrapy. At the head of only an insufficient number of mercenaries, and with Chandra Gupta stirring up the neighbouring tribes to revolt, we need not wonder that he was removed by assassination. Meanwhile Chandra Gupta, the early part of whose life we have already alluded to, completely expelled the troops left by Alexander. That monarch, becoming aware of those changes, appointed Eudemus, another of his generals, to act along with Porus, until another Satrap should be sent. Having treacherously murdered his colleague Porus, he marched to the assistance of Eumenes with a large army, and fought with him at the battle of Gabiene. Taking advantage of his absence from the seat of government, Chandra Gupta roused his countrymen, expelled the Greeks from their provinces, became master of the Punjab, and marching southward overran the whole of the Gangetic valley, laying the foundation of the Mauryan dynasty of Maghada. This probably occurred about B. C. 315. Meanwhile Seleucus had been

engaged in holding and adding to the dominions that fell to him after the death of Alexander. He recovered Babylon from Antigonos on the 1st of October B. C. 312, which is the great era of the Seleucidæ. Having now little to fear from Antigonos, who was occupied with his own affairs in Western Asia, he resolved to recover his lost possessions in North Western India, and if possible to extend them. But he found that he had no series of petty chieftains to deal with, whom he might subdue one by one, or set to oppose each other. He found Chandra Gupta at the head of a powerful empire, with an army, as Plutarch tells us, of 600,000 men. As might have been expected, even Seleucus could make but little impression on such a power: and so, wisely and in time he seems to have secured an honourable retreat, forming a treaty by which, for 500 elephants, he gave up to the great Mauryan monarch, the provinces on the West of the Indus, which probably he could no longer hold with advantage. To cement the alliance Megasthenes was sent by Seleucus as his ambassador at the Court of Palimbothra. He had thus the best opportunity for becoming acquainted with India, at a period when its whole Northern districts constituted one great empire. His 'Indica' was in four books. We have it now only in fragments, to collect and make quotations from which is the main object of the work before us. Dr. Schwanbeck thus sums up the information given by Megasthenes:—

"Geographiam Indiae scribere coepit finibus recte enumeratis. Deinde transit ad magnitudinem Indiae describendam, de qua primus inter omnes Graecos rectius judicavit, neque eam postea ullus, si universum spectas, accuratius definivit. Item primus et Daimacho excepto solus ex omnibus Graecis novit Indiae formam, de qua ii, qui ante Alexandrum scripserunt, nihil omnino, quod sciamus, certius dicere erant ausi, et cuius Macedones tam fuerant ignari, ut errore maximo longitudinem ab occidente ad orientem, a septentrionibus meridiem versus esse latitudinem putarent. Latitudinem dicit XVI. millia stad. explere, addens quo modo hoc spatium computaverit: ab Indo enim usque ad Pat'aliputram columnas milliarias X. mill. stad. indicare, reliquum spatium usque ad mare porrectum VI. mill. stad. ex computatione nautarum efficere. Quod spatium, etsi re vera media Indi pars a Gangis ostiis non amplius XIII. mill. DCC. stad. abest, tamen si computationis illius rationem habemus, videtur quam accuratissime indicavisse. Quanto autem intervallo Himalaja mons ab australi Indiae fine distaret, Megasthenes iam minus accurate poterat dicere, quum in hoc spatio terrae natura illi computationi minus conveniret. Quod igitur intervallum, quod recta via non amplius XVI. mill. CCC. stad. explet, et si Taprobanen insulam annumera-

veris, XVII. mill. D. stad. aequat, XXII. mill. CCC. efficere contendit, qui tamen numerus illi modo computandi satis accurate videtur respondere.

Altero quoque modo Indiae magnitudinem Megasthenes descripsit. Asiam enim ad Africam sitam in quatuor partes sibi dividit, ex quibus contendit eam, quae a mari ad Euphratem pateat, esse minimam, alias duas, quae terras inter Indum et Euphratem comprehendant, conjunctas vix pares esse Indiae.

Postremo astronomice indicavit terrae situm et ambitum, apud Strabonem 76. memorans haecce: *ἐν τοῖς νοτίοις μέρεσι τῆς Ἰνδικῆς τὰς τε ἄρκτους ἀποκρύνεσθαι, καὶ τὰς σκιὰς ἀντιπίπτειν*. Alterum fieri in extrema Indiae parte, quae meridiem versus sita est, alterum in omnibus regionibus ab tropico ad meridiem sitis, nemo est qui nesciat."

The date of the work must be placed previous to B. C. 288, at which time Chandra Gupta died. We have every reason to trust the accounts of Megasthenes, and nothing can be more interesting than for the scholar in India who has read Herodotus, Arrian, Strabo, and Quintus Curtius, and who has a detailed knowledge of the manners and customs of the Hindus around him at the present day, to read these fragments which Schwanbeck has collected, and compare them with what he already knows. The accuracy is most striking.

Chandra Gupta was succeeded by his son Vindusára or Bimbisara: A second embassy was sent either by Seleucus or his son Antiochus Soter to this king. The ambassador, whose name is given us by Strabo, was Daimachus. The king to whom he was sent is called by the Greek Geographer Allitrochades or Amitrochates. This name is supposed by Lassen to be the same as Amitraghâta, the Sanscrit for "foe-killer." Strabo considers him the most inaccurate of all the historians who have written regarding India, and hesitates not to apply to him the polite term *ψευδολογος*. Vindusára was succeeded by his great son Asoka, B. C. 263, and in his reign a third ambassador of the name of Dionysius was sent to his court by Ptolemy Philadelphus, who reigned in Egypt from B. C. 285 to 246. This third embassy, however, is involved in great obscurity. Pliny in his Natural History (vi. 17) only says "Dionysius a Philadelpho missus." It may be necessary to mention in this period the name of Patrocles, a Macedonian attached to the service of Seleucus, and holding under his successor Antiochus, the satrapy of the eastern provinces of Syria bordering upon the frontiers of India. As Strabo terms Daimachus *ψευδολογος*, so he applies to this writer, the name of whose work has not come down to us, the phrase *ἡκιστα ψευδολογος*.

From this period on to fifty years after Christ, we have a series

of authors who are more critics than accurate historians or independent travellers. Phylarchus (B. C. 215) probably of Athens, in his *Ἱστορίαι*, seems to have begun with the death of Alexander, and in doing so to have treated of India. Polemon of Athens (about B. C. 200) was a geographer who travelled all over Greece, and wrote a work from which he has received the title *ὁ περιηγητής*. Mnaseas was a topographer or antiquarian like the preceding, and having the same surname, who wrote a 'Periplus' in three books, in which he treats of Europe, Asia and Africa respectively. Eratosthenes, the great Geometer who first measured the magnitude of the earth, (died B. C. 196) is said by Arrian and Plutarch to have written on the expedition of Alexander the Great; and certainly in his great map of the earth, which he drew according to his own measurements of distance, it would be interesting to know where he placed India relatively to other countries. A Eudoxus of Cyzicus, a geographer, was employed in Egypt by Ptolemy Euergetes, and is said to have undertaken many voyages to India by way of the Red Sea. Under the enlightened and fostering care of Ptolemy Soter, the trade between Egypt and India became most important. Not merely were Alexandria and Tyre its emporia, but the city of Berenice was built in an admirable situation on the west coast of the Red Sea. Hence goods were sent through the Thebaid to Coptos, where they were put in boats and conveyed to Alexandria by the Nile.

We now meet with no original notices regarding India till after the time of Christ. Soon all intercourse between the Syrian kings and the Indian tribes ceased, and the Scytho-Bactrian empire was established. Our knowledge of it is almost entirely derived from coins. Prof. Lassen and other scholars have entered fully into this subject, and to treat of it is beyond our province. In the year B. C. 144 we find that Appollodorus, a Greek Grammarian of Athens, wrote a work called *τῆς Περιόδου*. It is remarkable as having been written in Iambic verse (*κωμικῇ μέτρῳ*.) It must have embraced most of the geographical knowledge then current regarding India. His example was followed (about B. C. 70) by Scymnus of Chios, whose 'Periegesis' was dedicated to a king, supposed to be Nicomedes III. There is however much doubt as to the authorship of the poem, the probability being that it was taken from an original work of Scymnus written in prose. We shall see that afterwards Dionysius published a similar work. Alexander Cornelius, better known by his surname of Polyhistor (about B. C. 90) wrote a work to which the name of *Παντοδαμῆς Ὑλη Λόγων* has been given. It consisted of 42 books, each of which professed to give a historical and geographical account of one of the chief countries of the Ancient World. Josephus, in his Jewish

Antiquities, and again in his answer to Apion, makes mention of a Philostratus, who wrote accounts of both India and Phœnicia. He says, when speaking of the greatness of Nebuchadnezzar and his public works, "Megasthenes in the fourth volume of his history of India speaks of these garden works, and sets forth the king both for his enterprise and his performances, to have been much superior to Hercules himself, having subdued the greatest part of Libya and likewise Iberia. Diocles makes mention of this king in the second book of his Persian history, and so does Philostratus, in the account he gives of the Phœnicians and the Indians." This is a very different man from the great Philostratus, to whom we shall presently have occasion to allude.

Another of the men of talent and adventure whom the Ptolemies gathered around them at the Court of Egypt was Agatharcides of Cnidus. He lived in the reign of Ptolemy Philometer (who died B. C. 146) and tells us that he was appointed guardian to one of the Egyptian kings during his minority. His work on Asia in 10 books, and more especially that on the Erythraean Sea, composed in his old age, gives him a place in our list. The last was especially valuable, for in the fifth book "he described the mode of life amongst the Sabæans in Arabia, and the Ichthyophagi or fish-eaters, the way in which the elephants were caught by the elephant-eaters, and the mode of working the gold mines in the mountains of Egypt near the Red Sea."

After the time of Megasthenes we have but few additions to the classical literature on India, but what are copied from preceding writers. The Romans had their attention directed more to the west than the east; and although an Indian ambassador is said to have visited Augustus and Claudius, and the hyperbolical flattery of the literati of the court of the former may thus have had a slender foundation, yet we cannot see that there was much new information on the subject. The dreaded Parthi were the limit of the empire in the east. Polybius (died B. C. 122) in his history (xi. 34) mentions a king Sophagasenus, who formed an alliance with Antiochus the Great. Schlegel translates the name *Subhagasenas*, which in Sanskrit means "the leader of a fortunate army." He was probably a successor of Sandracottus. When Egypt came under their power, they did little more than continue that trade which the Ptolemies had established. The Sicilian Diodorus, having travelled largely in Asia and Europe, set himself to write a Bibliotheca or Universal History. He seems to have industriously copied the chief statements in the works of original historians, and to him are we indebted for much that we know of Ctesias and Megasthenes. He is indebted also to one Iambulus, who wrote a work on the physical appearance of the Indians. The story connected with this writer

seems to be a fabulous one, viz. that he was taken prisoner by the Ethiopians, and kept as a slave on a happy island in the east, where he became acquainted with the Indians. He must have written his history in the time of Augustus.

The industrious and accurate Marcus Terentius Varro, who has well been called the "most learned of the Romans," died 28 B. C. In his geographical writings, his *Libri Navales*, and his work *De Ora Maritima*, he chiefly followed Eratosthenes. These works seem more likely to have been his than to have been the production of P. Terentius Varro Atacina, the author of the *Argonautica*, with whom he is often confounded. M. Vipsanius Agrippa, the great friend of Augustus, must have treated of India in his "Commentarii." Pomponius Mela, who lived immediately after the time of Augustus, in his treatise 'De Situ Orbis' takes up India and the adjacent countries in the course of his descriptive catalogue, following Megasthenes as his chief authority. The Universal History of Nicolaus Damascenus, the friend of Augustus, seems to have contained passages from Megasthenes. The two Senecas mention a historian of the name of Timagenes, who was brought as a captive to Rome, but rose from the meanest employments to be the friend of Augustus. Under his protection he wrote several historical works, a Periplus of the whole sea in five books, and a work called *Περὶ βασιλέων*, in which he gave an account of Alexander the Great and his successors. Strabo, who also belongs to the age of Augustus, devoted the 15th book of his 'Geography' to a description of India and Persia. As he had not, in all his travels, himself visited these, he is indebted to previous writers, whom he draws upon very largely but very judiciously. In his writings he refers to Juba II. King of Mauritania, who was in his time lately dead. His peaceful reign was devoted to the arts of peace and pursuits of literature, and his historical and geographical works were valued by later writers. It was to be expected that Pliny in his 'Historia Naturalis' would not overlook India, and accordingly he considers it in the 6th book of that work; but his statements evidently shew that he could have given us much more information regarding it. He contented himself with saying that the accounts are conflicting and fabulous. He might have left his readers to judge of that. From him we learn that Seneca wrote a work on India. Pamphila, the great authoress of Nero's time, made an epitome of Ctesias in three books. Plutarch, also in Nero's time, has occasion to speak of India very fully, in his life of Alexander. Tacitus in his 'Annals' also speaks of India.

The date and events in the life of Quintus Curtius Rufus have been a cause of much controversy and conjecture among critics. From a flattering allusion to the *Principes* of the Roman people in

the 10th book of his work "De Gestis Alexandri Magni, Regis Macedonum," it is generally agreed that he lived in or near to the time of Augustus. This work is one of the greatest interest, and well known to every school-boy. Its sources were no doubt the historians of Alexander's expedition, and in later times Ptolemy and Timagenes. Another historian over whom a perfect obscurity rests is Trogu Pompeius. We know his great historical work only from the abridgement or rather Anthology of it by Justin. He probably lived however in the time of Augustus; while Justin, who is first quoted by Jerome, cannot have been later than the 5th century after Christ. The original work was entitled 'Liber Historiarum Philippicarum,' and contained forty-four books. It approaches somewhat to the character of a Universal History, and by way of introduction or digression, takes up the early history of the Assyrians and Persians, and the expeditions of Semiramis and Darius Hystaspes.

Marinus of Tyre flourished about B. C. 150. He has been called the "founder of Mathematical Geography," seeing that he was the first to measure and describe places according to their latitude and longitude. One who so accurately studied the writings of preceding geographers and travellers as he did, must have had more clear ideas regarding India than any of his predecessors. We know him best through the great Ptolemæus Claudius, who immediately succeeded him, and who often refers to his works. He gives us the names of writers consulted by Marinus, of whom we are otherwise entirely ignorant, Diogenes, Theophilus, Alexander of Macedon, Dioscurius, Septimius Flaccus, Julius Maternus, Titianus of Macedon, also called Maes, and "many others." The Γεωγραφικὴ ὑφήγησις of Ptolemy contains the whole geographical knowledge of the ancients, reduced to order and scientific completeness. The ancient world may be said never to have advanced beyond it, until the Portuguese and Columbus inaugurated a new career of maritime adventure and conquest. His projection of the sphere is bounded on the east by the Sinæ and the people of Serica, and on the south by the Indian Sea. In the 7th book of his work he gives an account of India, the Malayan Peninsula, Ceylon and China. In the *Varia Historia* of Ælian, with its fabulous stories and gossiping style, we find many statements regarding India, chiefly taken from Megasthenes.

Arrian of Nicomedia is perhaps, in all respects, the best of the authors of antiquity who have written regarding India, and whose works have come down to us. He flourished in the second century after Christ, and is known in literature as a follower of the Stoics and a successful imitator of Xenophon. His works, in respect both of subject and style, resemble those of the latter.

His value consists in the fact that he is perhaps the best historical critic of antiquity. He holds the first place in the rank of the historians of Alexander. He was not merely careful in choosing the best writers as his authorities, but exercised a rare sagacity in reconciling differences, discerning errors, and putting that which was important in its proper place. His statements regarding India at the end of his *Anabasis*, and his fuller work on the subject—"Indica," contain a succinct account of almost all the important facts that the ancients knew regarding India. Both the subject and style of this work, and that of Curtius, fit them admirably as text-books for our public schools: and in Germany, England, and in some cases in India, they are now read. In his *Indica*, he seems to follow Ctesias and Megasthenes, and to have embodied the *Paraplus* of Nearchus, of whom he speaks in very high terms.

To Arrian has been often ascribed the authorship of two works—a *Periplus* of the Euxine and also of the Erythraean Sea. The latter work is of some importance with reference to India, but it must have been written at a much later date. It is the work, evidently, of one well acquainted with the subject, who had probably himself made the voyage. It tells us of one Hippalus, who, as he sailed down the Red Sea and entered on the wide Indian ocean, discovered the regularity of the monsoons, and taking advantage of the fact sailed right across the ocean to the Malabar coast. It gives us a fuller account of the Eastern coast of India than is met with in previous writers. The south of India seems to have been partially known, and Comorin (Comar) the *Cattery* (Chaberis) Arcot (Arcati Regia) &c., seem to have been familiar. Solinus, (A. D. 238) in his *Geography*, gives an account of the various countries in the world, and seems to have brought together many interesting details regarding them. His work contained quotations from Megasthenes.

Philostratus of Lemnos flourished in the time of the Emperor Philip, about A. D. 250. His largest work is the lives of the Sophists, but that which has caused him to be best known is his biography of Apollonius of Tyana. It is this book, filled with incredible fables and absurdities, that gives great importance to the name of Apollonius, in the early history of the Christian Church. In most of his fabled miracles, and in the wonders of his extraordinary life, he was brought forward by heathens, such as Hierocles, as a greater than Jesus Christ. The whole work seems to be a collection of the more wonderful parts of the history of Ctesias and previous writers on the East, and to be in many cases "a parody of some of the Christian miracles." He is represented by Philostratus as

being of noble birth, and born in the city of Tyana, about 4 B. C. As a youth he went through the whole circle of philosophy and the sciences as then known, and ended by becoming a Pythagorean. Anxious to emulate the fame of his great master, he underwent a course of ascetic discipline, distributed his patrimony among his poor-relatives, and set out on his travels, when he had passed the five years of his noviciate in perfect silence and mystic contemplation. After traversing Asia Minor, he set out for the East at the age of fifty years. At Nineveh he was joined by the Assyrian Damis, on whose life of his master, that of Philostratus was probably based. At Babylon he had many conversations with Arsaces (Bardanes), then king; and was initiated into the rites of the Magi. Thus equipped he passed into India, where, at a place called Taxila, of which Phraortes was king, he entered into disputation with the Gymnosophists, and with Iarchas, the chief of the Brahmins. After five years spent in his Eastern travels he returned to Greece, and set up as a miracle-monger. He is said to have met with Vespasian, then ambitious for the Roman Purple, and to have incited him to make efforts for it. He was tried for sorcery before Domitian; but vanished, and was afterwards found in Greece. His prediction regarding the death of the tyrant was literally fulfilled. He finally died at Ephesus, though Rhodes and Crete also claim the honour of his dust. Such is an outline of the wonderful life of Apollonius of Tyana, so clumsy a fiction that we can now only wonder that even some of the Christian Fathers, such as Eusebius, allowed its truth.

The remaining notices of India in the Classics are soon disposed of. Dionysius surnamed Periegetes, lived probably in the 4th century after Christ, and wrote a *Περιήγησις τῆς Γῆς* in Hexameter verse; in which he chiefly follows Eudoxos. As he professes to take up the whole world in it, India naturally occurs. It was highly valued in ancient times, and is still extant. Nonnus, a Greek poet of Panopolis in Egypt, wrote a poem called the 'Dionysiaca' about the beginning of the 5th century after Christ. He is spoken of by Agathias, who immediately succeeded him. His work is an epic of more than Oriental length and bombast. It is in forty-eight books, and professes to trace the career of Dionysus. Wilford in the Asiatic Researches (vol. ix. p. 93) supposes that the poetaster borrowed at least the subject of his poem from the Mahabharat. Heeren, however, says "this must be understood only of the expedition of Bacchus into India. But even where the scene is laid in that country, it is not easy to discover in this poem anything of the true Indian character." Cosmas, surnamed Indicopleustes, lived under Justinian (A. D. 535). He was an Egyptian Monk, though in early life he followed

the pursuits of a merchant, and traded extensively in the Red Sea, along the east coast of Africa, and the whole southern coasts of Arabia, Persia and India. Having amassed a fund of knowledge and experience, he withdrew from the cares of life, and that he might embody his knowledge in a permanent form; entered a monastery. He published a work entitled *Τοπογραφία Χριστιανική*, with the object of proving that the world is an extended surface. In it he tells us that he travelled to Adule, a port of Ethiopia, belonging to the King of Auxume. It was here that he fell in with a certain Sopater, who had just returned from Ceylon, and who furnished him with full information concerning that island, which he has embodied in his work, and which proves it to have been then the "common emporium of southern commerce."

In many of the works of the early Christian Fathers we find allusions to India. The subject on which they chiefly write is that of the Brahmins, Gymnosophists and religious sects and castes. At a time when superstition and persecution led the whole of Christendom to be infected with a desire for the austerities of Monachism, when even such a great and manly soul as that of Augustine admired them, we need not wonder that they were led to other countries and other literatures for examples of similar asceticism. Palladius, the famous author of the Lausiac History, which was composed about A. D. 420, wrote a work *Περὶ τῶν τῆς Ἰνδίας ἐθνῶν καὶ τῶν βραχμάνων*. Much doubt, however, rests on the authorship. Whoever the writer was, he visited India along with Moses, Bishop of that Adule above mentioned. A work 'De Moribus Brachmanorum' is ascribed to St. Ambrose, but without reason. It is rather a free translation of that by Palladius. Porphyry, the celebrated antagonist of the Christians, who wrote about the beginning of the 3rd century, treats at some length of the Indian Gymnosophists, dividing them into the two classes of Brachmanes and Samanaei. To him this must have been a favorite subject: as in all respects of belief, and many of life, he corresponded with the latter class. All the descriptions of these men point to the fact that Buddhism was the prevailing religion of India at that time. Between Porphyry and Palladius, there was a Chinese traveller, Fa Hian, whose descriptions agree with those of both these authors. Porphyry mentions a Bardesanes Babylonius, who wrote on the Gymnosophists. He seems to have been a different man from the great Syrian Gnostic of the same name.

The early history of Christianity in India does not at present fall within our province, otherwise it would lead us to consider somewhat fully those Fathers and Ecclesiastical historians who have written regarding India, such as Sozomen, Theodoret, Epiphanius,

Valesius. We have Pantæus the first Missionary to India (A. D. 181) whose finding of St. Mathew's gospel there probably gave rise to the traditions of Thomas and Bartholomew having converted it. The fact of a *Mamichæe*, of the name of Thomas, having visited the Syrian Churches in the third century, may have further given rise to this tradition. The writings of Pantæus have not come down to us, but we have his pupil Clemens Alexandrinus, also Origen, Rufinus, Jerome, Eusebius and Socrates Scholasticus, who speak of him. Cyril treats of the Gymnosophists and makes quotations from Megasthenes. In the acts of the Council of Nice we find one of the Bishops who subscribed himself as *Ἰωάννης Πέρσης, τῆς ἐν Περσίᾳ πόσῃ, καὶ τῇ μεγάλῃ Ἰνδίᾳ*. The latter part, in the Great India, may refer merely to his having jurisdiction over the Church there, and not to his actual labours in the country. Sophronius, Patriarch of Jerusalem in the seventh century, states that Christianity was introduced into Ceylon by the Ethiopian Eunuch, of whose conversion Philip was the means. The story of Frumentius and Oëdesius, as told by Rufinus, is full of interest; and there is no reason to doubt its truthfulness. Wretched as are the epitomes made by Photius of Constantinople (about A. D. 863) of Ctésias and other writers on India, his name should not be passed over. Nor should that of Nicephorus Callistus, (died A. D. 1450) whose Ecclesiastical History is a compilation from the works of Eusebius and other early Church Historians. In the 'Speculum Universale' of Vincentius Bellovacensis, and the writings of Albertus Magnus in the thirteenth century, we find many of the ancient stories regarding India reproduced.

We would refer our readers for fuller information to Hudson's collection of the Minor Geographers, to Vincent's admirable work on "the Commerce and Navigation of the Ancients in the Indian seas," and to Dr. Smith's "Dictionary of Greek and Roman Biography and Mythology," to which, in this article, we have been indebted. Dr. Schwanbeck's work is one of laborious research, and is exhaustive on Megasthenes. The whole subject, however, of India in the Classics, yet requires to be fully taken up by some ripe scholar. * It will amply repay a minute study, and we believe much light through it may yet be thrown on the early history of India. So far as classical studies are pursued in the public schools for Christians in India, it would be well to accomplish two objects at once, and study the Indian portions of the works of such admirable writers as Arrian, Strabo and Curtius. This would be at once done were they to be chosen as the text-books for examination in the various Indian Universities. They are now largely read in our English public schools.

From the 5th to the 10th century a dark veil enshrouds the history of India, to be withdrawn only by an attentive study of topes, monuments and inscriptions, as illustrating and illustrated by written records. Time plants her ruthless heel on all such memorials, and hurries them off to decay, or covers them under jungle and vegetation. Even the early British period is retreating into dim obscurity, and our history in India a hundred years ago has become a matter of research for the antiquary. Let us raise India to her proper position in the page of history. Then will China follow, the dark vapours of a priest-created antiquity will be dispelled, and God's purposes of mercy to the world will be more and more accomplished, by the union of the various tribes in the bond of Christian brotherhood.

ART. III.—1. *Notes on the Expediency of establishing a Tribunal of Commerce in Calcutta.* Calcutta, 1857.

2. *Commercial Law, its Principle and Administration.* By LEONE LEVI. London, 1850.

LAW has been truly characterized as the great social science by which the rights of men and the broad rules of morality are explained. In the various civilised countries of the world these rights and rules may receive modifications from local circumstances and national peculiarities, but in their great fundamental principles, in their radical enunciation of right and wrong, they will be found substantially to agree.

Commercial Law is the science which regulates the mercantile dealings of nations, and is in like manner found unvarying in its leading features, and uniform in all its essentials, and is therefore international rather than municipal. Local usages and national habits may indeed engraft peculiarities upon Commercial Law in some countries; but fundamentally it is found to be based on a few similar leading principles.

In the early ages of the world these Laws embraced comparatively few clauses, adapted in scope and tendency to the limited requirements of the nations. The Athenians legislated concerning Partnerships, Contracts, Exchanges, Usury, Debtors and Creditors, and Commercial Books. To this active but exclusive race of traders we are indebted for the first "Corn Laws" known to mankind, in which it was enacted that no Athenian, or foreigner residing in the country, should lend money on a ship bound to any place other than Athens; and that if any such loan took place, the creditor should be refused the aid of the Law in the recovery of his claim.*

The most ancient Laws relating to Commerce are to be found amongst the Institutes of Menu, a production pronounced by Sir W. Jones to be the oldest work on record—prior even to the Books of Moses. In these ancient Indian Laws we find instructions on many matters of trade, of a very clear and definite character. The rights of debtor and creditor, the legal rate of interest, tolls to be levied, liabilities of carriers by land and water, proper weights and measures, fraudulent dealings—these and many other matters relating to commerce were all distinctly treated by Menu.†

Nine hundred years before the Christian era the Rhodians possessed a system of maritime written law, which descended

* Leone Levi's Commercial Law of the world, p. 2.

† Institutes of Menu, chap. 8, pp. 204—2.

through after generations to the present day, and has formed the basis of much modern legislation.

In later times, when the Commerce of the world was monopolised successively by Venetians, Dutch and Portuguese, before the Anglo-Saxon race had dared their older competitors, or dreamed of becoming supreme upon the world of waters, the simple details of foreign trade called for but few interferences from the law. We can easily imagine how seldom mercantile complications arose in the early days of British commerce, when the external trade of the port of London was transacted through one single out-let, the old wharf at Billingsgate.

The early attempts of British sovereigns at commercial legislation were not conceived in the happiest spirit, and certainly were not in conformity with our modern ideas of free trade. One monarch dictated a schedule of prices at which merchandise should be bought and sold : a second, following in his predecessor's steps, declared by special act in what localities certain trades should be carried on. A third sovereign, who had evidently gone to the same school of political economy, forbade merchants, under heavy penalties, to deal in more than one kind of merchandise ; whilst another monarch settled the balance of trade right royally, by compelling foreign merchants resorting to the country for the sale of their goods, to expend all their proceeds in the purchase of British merchandise. Such were the laws enacted by "the wisdom of our ancestors" for the protection of commerce,—laws which in the end so perplexed and bewildered the dealer that he was oftentimes puzzled to know how he was to carry on his business. It was this *embarras de richesses* which no doubt induced the body mercantile, in the days of the red and white roses, to beg of the sovereign power not to overwhelm them with any more protection, but to cease all legislation and leave them to their own devices.

How, with the spread of knowledge and religious liberty, the external commerce of England grew from small but daring beginnings to become the marvel and envy of the civilized world, needs not now be told. How Raleigh, and Drake, and Cook, and other brave and adventurous spirits, won by degrees the barren spots of the distant world, and the peopled colonies of Holland, Spain and Portugal, until, in our own time, the question is not "where does the flag of England float?" but rather "where is it not unfurled?"

We have lived to see a very moderate scale of imperial customs duties producing annually as much as the entire value of the Imports and Exports of England in the days of "Good Queen Bess." We see the transactions of one of the leading Firms of Calcutta exceeding the trade of a first-rate European city in the

middle of the fourteenth century : we behold the trade of Bengal exceeding the commercial dealings of the half of Europe at the date of the English Revolution.

Although Great Britain has outstripped all other nations in the wonderful development of her external trade, there have been continental nations who have carried on no paltry dealings beyond sea,—whose traders have in their time won the appellation of Merchant Princes:

The citizens of Venice, Genoa and Florence at one period held the commerce of the west in their hands, and to no small amount. The Flemish Burghers in due time carried off a share of this trade, which was subsequently diverted in a great measure by the enterprise of the Hanse Towns, whose merchants amassed wealth at the cost of the Italian States. Holland next came in for a share of the world's trafficking—followed soon after by the adventurous Portuguese, who found their way to the wealth of the Indies by the Cape of Good Hope, and so dealt a death-blow to the remaining commerce of the Italians. France, Spain, Holland, and Portugal, all enjoyed a course of prosperous trade with newly discovered countries, exceeded only by that of Great Britain.

Amongst all these changes, with such a vast accession to the business of the world, we can understand how new complications in trade arose, how multifarious the dealings of merchants became, and how necessary the traders of the west found it to direct their transactions by a system based on the acknowledged principles of truth and equity. These usages in due course received the sanction of Legislators, and thus expanded into Laws, more or less perfect and explicit, according to the genius of the people amongst whom they were found.

It was towards the eleventh century, according to Chitty's Laws of Commerce and Manufactures, about the time of the first crusade, that the earliest code of more modern sea-laws was compiled. This code was arranged by the people of Amalphi : it is thought to have been principally collected from the Rhodian institutions, and appears to have been generally received, during a considerable period, by the countries bordering on the Mediterranean. But in process of time, as the maritime states, which gradually arose in Europe, began to set up codes of their own, great inconvenience was felt from the discordance of the various enactments, and a new collection, compiled from all those which had gone before, was established, as Grotius informs us, by the authority of almost all the sovereigns of Europe : this new collection was entitled *Consulate del mare*. In the thirteenth century it was received as law in Italy, Germany, France and the Greek Empire, and Vinnius affirms that most of the Marine Laws in Spain, Italy, France, and England are borrowed from it. It seems

to be considered as a branch of international law; and in spite of certain defects, its regulations are of high authority in all the maritime states of Europe.

These were followed by the *Hanse Laws* of 1597 and 1614, and in 1681 by the famous *Ordinance de Marine* of Louis the fourteenth.

In many instances, however, the active habits and urgent wants of busy men could not be satisfied with the cautious and often uncertain administration of Mercantile Laws by the ordinary tribunals of the country. Hence the creation of "Tribunals of Commerce."

The first instance on record of the formation of this description of court is to be found in the year 1160, when the citizens of Pisa instituted a Tribunal of Commerce to adjudicate upon all mercantile, shipping, and trading cases, guided by the constitution and the laws of their country, and, in cases where these were silent, by the ordinary mercantile usage of the place.

The advantages arising from the action of these popular courts were not long in being appreciated by other commercial communities; and in due course they were found to obtain in most countries of continental Europe, although many of them did not possess a tithe of the external trade of England, some of them not more than is in the present day enjoyed by a third rate shipping port of Great Britain.

Under the Empire, France saw a new impetus given to the administration of mercantile law by her Tribunals of Commerce, from the improved form and higher sanction accorded them in the *Code Napoleon*, a Code which has by degrees become established in other countries. America, profiting by the example of European nations, and as usual in advance of the parent country in action, if not in purpose, has adopted similar Tribunals for the convenience of her commercial community.

The result is that the gay Frenchman, the brave Belgian, the resolute Bremen and Hamburger, the cunning Greek, the indolent Portuguese, the jealous Spaniard, the enterprising Sardinian, the impoverished Roman, the wealthy Mexican, the fast American, the bigotted Turk, the indifferent Neapolitan, the reckless Maltese, the sturdy Saxon,—all these possess Tribunals of Commerce, before which every mercantile case, with some few exceptions, may be or must be heard, with more or less of definitiveness in the decision;—whilst Englishmen, whose ships navigate every sea, whose merchandise is found in every mart of every land, are to the present day without such institutions.

How can this anomaly be accounted for? Is it that the ordi-

* Leone Levi's Commercial Law of the world, p. 4.

nary course of English law pursues its silvery way so swiftly, so adroitly as to leave all other modes of adjusting commercial differences far behind? Is it that British merchants find the legal course so cheap, the legal end so equitable and sound, that simpler justice could not be, that Codes Napoleon, Hanse Town laws, Italian Consulates were not half so just or fitted for their use?

This can scarcely be, or else why the agitation carried on by leading men on 'Change' for a period as long as the siege of Troy, and as yet without result, although we find foremost amongst the mover's such names as Brougham, Wharnccliffe, Harrowby, Baring and Rothschild. Meetings have been held in almost every leading town of the United Kingdom, by men engaged in commerce, manufacture, and banking, to press upon the imperial legislature the necessity of establishing Tribunals of Commerce.

Following in the same track, and feeling the same want, the merchants and traders of Calcutta have at length commenced a similar agitation. At a meeting of the Chamber of Commerce in the autumn of last year, the subject of a Commercial Tribunal for this port was discussed, and a Committee appointed to consider upon and adopt such proceedings as might be best calculated to further the end in view. The opinions of the Mercantile Firms of Calcutta were sought by circular, and these we have now under notice.

The pamphlet heading this article treats the subject matter of the present agitation with sufficient brevity, contenting itself with a mere glance at the question. It does no more than hint at any solution of the main difficulties in the way, rather looking to the collected opinions of the mercantile body as the nucleus of some future line of action.

The Committee of Merchants and Traders take their stand strictly for the appointment and legalization of a Tribunal of Commerce, composed of gentlemen engaged in Mercantile business. Such a Court they think may accomplish much good in a variety of capacities:—

"*First*,—and this should always be its first duty, it may be a Court of Conciliation: for when both parties have given in clear detailed statements of their grievances and claims, and defence, it may often be easy enough for a clear-headed President, and two brother Merchants or Tradesmen, to see who is wrong, and what may be conceded on both sides, and thus to settle a question at once. "

"*Secondly*.—It may act as a court of Advice and Protection; the advantages of which we have already pointed out.

"*Thirdly*.—As a court of Arbitration; each party binding itself to submit to the award.

"*Fourthly.*—As a court of Justice of First Instance; whence an appeal may be carried to the Common Law Courts.

"*Fifthly.*—As a final Court of Justice, adjudicating to a certain amount.

"*Sixthly.*—As a final court of Justice to any amount, where the parties choose to make it so, by binding themselves to submit to the decision."

The printed opinions of the individual members appear to be divided between a mercantile tribunal as a distinct institution, and the appointment of one or two commercial men to the "Small Cause Court," who should sit jointly with the present Judges of that tribunal in all cases of a mercantile character.

To the latter scheme, however useful it might occasionally prove, there are undoubtedly grave objections, which in our opinion should negative the proposal. By the infusion of the mercantile element into any of the existing Courts of Law, we might do something to ensure right decisions in commercial cases; but the legal forms, the legal cost, and the legal delay must nevertheless still be as prominent and as fatal as ever. Besides which, the operation of a Commercial Tribunal, in all matters of arbitration and conciliation, would be entirely lost in the proposed plan of amalgamation with the Small Cause Court.

There are few, if any, save perhaps amongst the Legal Profession, who will deny the great necessity which exists in this country for the adoption of some measure or measures which shall ensure to Commercial men a more satisfactory adjustment of their differences than at present exists. Few disinterested minds, we say, can deny the urgency of this want.

The external trade of British India has grown from small beginnings to mighty proportions. Contrast the present exports of Calcutta with the consignments of produce by "the united corporation of British Merchants trading to the East Indies" in the days of the first Georges. Compare them again with the amount of Calcutta trade at the period of the abolition of the Company's Commercial Monopoly, and we shall see how altered the whole state of things has become, and consequently how different the requirements of the mercantile community. During the last seventeen years the shipments from the port of Calcutta have doubled, whilst the Imports have been trebled. In the Commercial year 1818-9 the exports of Goods were to the value of Co.'s Rs. 6,45,23,204; whilst in 1855-6 they amounted to Co.'s Rs. 12,60,92,637. Of these amounts forty-seven per cent. were made to Great Britain in the first named period, and in the latter thirty-two per cent. During the same lapse of time the Imported Goods were from the mother country fifty-one and

seventy-one per cent. respectively, the gross value having been Co.'s Rs. 2,21,33,832 and Co.'s Rs. 8,06,08,182. We have not at our command the trade returns for the port of Madras, but those from Bombay give the following result :—

1838-39.

Imports of Merchandise	...	...	Rs. 8,02,77,719
Exports of "	...	...	" 4,39,90,602

* Shipping, Arrivals	245 Vessels	1,01,656 tons.
" Departures	249 "	1,06,520 "

1855-56.

Imports of Merchandise	...	...	Rs. 6,52,96,636
Exports of "	...	...	" 8,94,06,393

Shipping, Arrivals	320 Vessels	2,29,403 tons.
" Departures	324 "	2,31,496½ "

Having admitted the necessity for some improvement in the existing state of Commercial Law and its administration in this country, we will proceed to examine one by one the various proposals placed before us by the Pamphlet now under notice, and ascertain how nearly they approximate to similar proceedings in other countries, and how far they appear to meet the urgency of the case.

The question presents itself in such a multiplicity of shapes as to cause a great absence of unanimity in suggesting a remedy for the evil. It may reasonably be doubted if any particular class of men are generally the best judges as to their own legislative or administrative requirements; and although in this particular instance the case appears to be one in which Commercial men may freely pronounce an opinion, we believe the Calcutta Merchants would have done well to have followed the example of their fellow agitators in Great Britain, and have secured the co-operation of a few Law-Reformers from other classes in this presidency, as well as the aid of the Madras and Bombay Chambers of Commerce.

In entering on this review of the proposed Tribunal, we would beg first to notice one circumstance which does not appear to have occurred to the agitators in this city, or is at any rate passed over in silence. It is, that despite the vast magnitude of the trade of Great Britain as compared with that of any other country in the world, British Merchants are yet infinitely behind their brethren in nearly all foreign countries in their acquaintance with the principles of Commercial Law.

* Includes only square rigged vessels.

Notwithstanding that Chemistry, Botany, Geology, Meteorology and other sciences, embodying the laws which govern the physical world, are taught in English Schools of the present day, there never has been, nor is there, any attempt made, to impart to British youth of any class the slightest knowledge of those fundamental Laws which rule the social and Commercial world. We are not arguing that scholastic institutions should become training Schools for Lawyers, nor that Schoolmasters need be Members of the legal profession; but we do believe that were the first principles of social and Commercial Law instilled into the minds of young men coincidentally with knowledge of Book-keeping, History and Arithmetic, they would make far better men of business and more useful members of society. We do not wish Ovid, Xenophon, and Æschylus, to be replaced by Blackstone, Sir J. Scott, and Chitty, but if students intended for the mercantile profession were accustomed to study such authors, we cannot doubt the profitable results in the busy after life of the rising generation.

It has unfortunately been the custom amongst our countrymen to regard the practice of the Law too much in the light of a device of the Satanic Power, for the purpose of perplexing and plundering mankind in general: to look upon legal enactments as so many social man-traps, and lawyers as the *Familiars* of our great national inquisition, clad in wigs and gowns in place of masks and tunics. But let us ask what would become of property without the aid of the Law? Without the Law-merchant how could commerce be carried on? That there are black sheep amongst the legal profession, that there are grave defects in the constitution and administration of English Law, is not to be denied. But as well might we condemn Christianity because some amongst the ministers of religion bring discredit on the sacred office. The sooner the English as a nation cast aside this barbarous prejudice, and look upon the Law in its true light, the better it will be for them as men and as merchants.

The man of commerce, little as he may be aware of it, cannot enter upon the most trivial transaction without being dependent on the Law for a right direction to his proceeding, without being therefore to some extent a Lawyer. In the *India Jurist*, published in Calcutta in the year 1843, and conducted by a talented member of the profession, we find an echo of our opinion upon this especial subject, in an address to the merchants of British India. It says "The Charter-party, the ship's papers, the bill of lading, the policy, the Respondentia or Bottomry bond, with many more of a like character, are but household words in the merchant's counting-house. Yet, how many of the opulent and experienced members of any British Chamber of Commerce

will accurately define the effect, will solve the construction, the adaptation to circumstances of those familiar mercantile instruments?" It is even so. Whatever may be the boasted superiority of Britons in some matters, it assuredly is not to be found in their knowledge of Commercial Law. Never was there a more erroneous statement made than in a recent issue of the *London Economist*, apt as that pretended *liberal* journal is at misrepresentation, wherein it says, when treating of Tribunals of Commerce, that the nations of Continental Europe are so far behind us in the extent and nature of their trade as to render it impossible to look to them for any examples in mercantile law. The real truth is that we might look to foreign countries for guidance in this matter with vast benefit, had we similar tools to work with, which unfortunately we have not.

One of the letters in the Calcutta pamphlet, from the pen of the manager of our Commercial Bank, tells us that—

"Tribunals of Commerce, as established in France and Belgium, are found to work well and satisfactorily, both as regards economy of time and expense. But their especial merit consists in the sound judgment and equity which have always characterized both their decisions and proceedings.

"The reasons for this are obvious. The Judges presiding at these Tribunals are men whose lives and experiences have been chiefly devoted to the questions which are brought before them for judgment, or more properly speaking, arbitration, for such is really the character of the proceedings. The decisions being based upon the laws, usages, and customs which prevail within their jurisdiction, such experience as they possess enables them at once to see the merits or demerits of the case, and to decide without loss of time, and at a trifling expense to the parties at issue, upon the question before them.

"I speak upon this matter with confidence, having had practical experience of their working in Belgium, where they are established under the code Napoleon; in Malta, where a similar Tribunal exists, under the Code de Rohan; and in other Mediterranean Ports, where Courts of Arbitration founded for the adjustment of commercial disputes, have existed independent of the ordinary Law Courts, since the days when the Italian Republics led the Commerce of the world. In many cities of the United States the Chambers of Commerce are invested with powers of arbitration in Commercial disputes to a certain amount."

The writer might with great truth have said more. He might have added that not only are the merchant-judges, men "whose lives and experiences have been chiefly devoted to the questions which are brought before them for judgment," but they have in

their youth been grounded in the fundamental principles of Commercial Law at the colleges of their country.

It is notorious amongst observant travellers on the continent of Europe, that not only are foreign merchants well versed in the leading details of the Commercial science, but their wives are frequently able to converse with ease and accuracy upon most questions connected with commerce! How many English ladies would be able to give a definition of a Bottomry-bond or a Charter-party, much less to discuss any knotty technicality connected with them! Yet, despite the dictum of the *Economist*, one would have no difficulty in the matter amongst the fair sex in France, Belgium, or Germany.

In considering the establishment of a Tribunal of Commerce in Calcutta, this fact then must be borne in mind. It need not in any way be a bar to the attainment of their object, though it may modify the constitution of a commercial court.

Of the value of such a tribunal, regularly constituted and recognised by the authorities of the land, in the three minor capacities to which we have before alluded at page 319, viz.: as a court of conciliation, of advice, and of arbitration, there can be no second opinion. It may be urged by some, that the Chamber of Commerce, through its committee, is free to exercise those friendly functions at the present moment, without any fuller powers deputed to it. That they *may* be so exercised, we readily admit, provided all the parties involved in a case be willing to refer the matter to the committee, though we much question if the result would be accepted, as complete and satisfactory, by parties at a distance having an interest in the question. Besides this, there is the probability of one party in a case open to arbitration being averse, from some motive, to refer the dispute to any but a court of law. It may happen to be an unamiable supercargo, an ignorant captain, or a cantankerous factor, either of whom would be only too ready to give trouble or cause delay, unless there were some tribunal from whose swift and searching investigation he could not hope to flee.

The Pamphlet of the Chamber of Commerce speaks much to the purpose when it uses the following language:—

“Every man of business can say for himself how many of his contentions and difficulties might have been prevented, or smoothed over, by the existence of a court with such powers and ends, honestly carried out, in the kindly spirit in which they must always have been intended to act; and from which, finding the sense of their brother merchants and tradesmen against them, those might return as friends who sought it as foes.”

We will instance a case in point, so much to the purpose, as to

be deserving of a place in this paper: it illustrates most completely the usefulness of some such tribunal as that for which we are arguing; for although the case was in this instance decided by mutual reference to a brother merchant, it is not always that both parties would take such a common-sense view of their own interests. The following is from an article in "*Household Words*," on the precise subject which is now occupying these pages:—

"A city merchant had purchased a number of cases of foreign goods, I believe Maccaroni. Many, on being weighed and examined, were found to be no more than half full. A hole was discovered in these cases, and much of the Maccaroni had been bitten to pieces, so that there could be no doubt but that the damage had been caused by mice. But who was to bear the loss? Certainly not the purchaser, who had bargained for full cases of sound Maccaroni. The importer declared that the mice must have attacked the goods while on the wharf in Thames Street, it being impossible his agents should have shipped the animals along with the goods. On the other hand the wharfinger protested there was no such thing as a mouse to be found on his premises; which he had been at great cost to have made mouse-tight; each party was resolute. The case was placed in the hands of "eminent lawyers;" there was every prospect of somebody having to pay handsomely, in addition to the value destroyed by the mice. By great good luck the two disputants encountered each other one day on Change; and happening to relate the matter with some bitterness to a third person, they were assured by him that, if they chose, they could settle the affair in ten minutes between themselves, by only taking a common-sense view of the case. He pointed out to them that the direction in which the mice-holes were gnawed would clearly indicate whether the animals had entered the boxes whilst lying on the wharf, or whether they had been imported in them, which might have occurred from the boxes having been left open at the port of shipment after packing. The intruders could not have got in during the voyage: for except in a few coasting vessels, mice are never found, as they have insuperable objections to sea-sickness. The whole question was—did the mice eat their way into the boxes, or did they cut their way out of them? If they were Italian mice packed in with the Maccaroni, which had eaten their way through the cases for air, the holes would be gnawed and jagged within, and smooth without; if they were English mice, with a taste for Maccaroni which deal boards could not baulk, the outside of the holes would bear the marks of teeth, and the inside would be smooth. The matter appeared so simple, when viewed in this light, that both parties agreed to adjust their

' dispute by the appearance of the holes in the cases. They did
' so within ten minutes of that time; and not only saved hun-
' dreds of pounds, but preserved their former friendly feeling,
' which, had the law-suit gone on, would no doubt have been
' completely at an end."

With a Patent Law in India, who can say how many disputes may arise out of supposed or real infringement of patented inventions? And if there be any class of cases more urgently than any others demanding decision by men practically and intimately acquainted with the subject matter before them, and not by legal gentlemen, it is most assuredly such as these. Be the acquirements of members of the bar what they may, it is impossible they can be competent to argue, or that professional judges can be competent to decide, cases involving technicalities of Mechanics, Chemistry or any other art or science. What could any leading practitioner of our Supreme Court make of some patented machine comprising "*Duffers*," "*Strippers*," "*Feeders*," and "*Devils*?" How he would flounder about in a chemical suit amidst "*protoxides*," "*supersulphates*," "*hydrochlorides*," and "*latent caloric*?" What would any one of our judges make out of "*Mull Mulls*," "*Honey Combs*," "*Japan Spots*," or forty-five inch "*Books*?" They would be inclined to wish that such institutions as Tribunals of Commerce had an existence in this country, and certainly the suitors in the case would join most cordially in the desire.

We remember some years since reading a case involving a contested patent right in some new machine, which whilst it effectually baffled judge, counsel, and jury, in their attempt at a decision, gave rise to circumstances strongly in favor of Tribunals of Commerce. The counsel for the defendant had cruelly puzzled and bewildered the principal witness for the plaintiff, in so much that it became quite evident he scarcely knew what he was bearing testimony to. Before he was allowed to sit down, the foreman of the jury requested him to repeat, as slowly and deliberately as he could, his description of the plaintiff's machine, whilst he committed it to paper. This was done; the witness was then ordered out of Court, and the defendant's evidence called in. The chief engineering witness on this side was in like manner told, after the usual badgering from the opposing counsel, to give his account, detail by detail, of the defendant's machine, which he did. At the termination of the evidence the foreman of the jury requested that the two engineering witnesses might be recalled, to have the written descriptions of their machines read over to them before the jury retired, which was done, each one separately repeating his solemn declaration to the truth of what was read to him. The foreman then called the

attention of the Court and the jury to the fact that, as a means of testing the value of the evidence placed before them, he had read the description of the defendant's machine to the plaintiff's witness, and that of the plaintiff's to the defendant's witness, both of whom had nevertheless sworn to the descriptions as representing their own patents. Eventually a special jury decided the case by a personal examination of the opposing machines, when uninfluenced by special pleading and freed from all torturing cross-examinations, they were able to arrive at a just decision, acting in fact, though by a somewhat lengthy and costly process, the part of a Tribunal of Commerce.

Before quitting this part of the subject we are tempted to quote another case, equally if not more to the purpose, which took place three years since. It was tried in Edinburgh, and goes far to prove the advantages of Tribunals, presided over by practical men, where high legal attainments and first-rate scientific acquirements are equally at fault. The question at issue was whether a substance found in certain lands in Scotland was or was not coal. The case excited intense interest at the time amongst legal and scientific bodies, and was afterwards published in a pamphlet headed "What is Coal?"

It appeared that the plaintiff had leased some land to the defendant, on certain terms of royalty, for the purpose of digging for coal. The latter had succeeded in turning up very large quantities of a black inflammable substance, richly impregnated with hydrogenous gas, and as such, very valuable for gas works, although not so suitable for ordinary fuel. The speculation became, in consequence, unexpectedly remunerative to the worker, and mortifying in proportion to the proprietor; who beholding the huge mine of wealth opened by others on his land, brought the action to try whether—as the right he had leased away was solely and exclusively the exploration of coal—the substance dug up by the lessors was, or was not, coal; for, if not coal, they had no right to it. The plaintiff, therefore, by his counsel, maintained that the mineral worked by the defendant was not coal, and although he was not prepared to say what it really was in ordinary language, he called in a legion of professors of geology and mineralogy, of microscopists and miners, to declare that it was shale, clay, bituminous earth—anything in fact but coal. The chemist took his crucible and his blow pipe, and he too insisted, on the word of a philosopher, that it did not burn like coal, and did not leave the ashes of coal. The microscopist applied a powerful lens, and had no sort of hesitation in avowing the absence of all traces of those cellular and vegetable tissues which exist in all coal: consequently it could not be coal. The

miner declared that he had never seen any coal similar to that worked by the defendant, and that, therefore, it was absurd to call it coal.

So much for the science of the plaintiff. The defendant had a still larger array of philosophy on his side, and a host of men, equally known to the scientific world, did declare on their reputations as geologists, chemists and microscopists, that the substance in dispute had all the characteristics to make it coal; that in short it was most decidedly, unequivocally, and beyond dispute, coal, and nothing but coal.

The array of evidence presents a curious illustration of the fallacies of science in the nineteenth century, and is quite worth quoting. Professor A. declared that it burnt precisely like coal: Professor B. protested in plain English it did not. Professor A. stated that he found it to contain only six per cent. of fixed carbon: Professor B. had found ten per cent. of carbon in it; while Professor C. met with sixty-five per cent. of carbon. Professor A. stated that the mineral was bituminous shale: Professor B. asserted that it contained the merest traces of bitumen. Their duel being over, Professor C. found that no degree of heat would cause it to yield bitumen. Professors A. B. C. and D. declared positively in full chorus that it possessed no signs of an organic structure. On the other side, Professors E. F. G. and H. avowed much more positively that it had a most unmistakeable vegetable organization, with perfect traces of woody fibre, cellular tissue and every other characteristic of the best Wallsend. Professor J. found that it had no fixed carbonaceous base, but its base was earthy matter: Professor K. discovered on the contrary that the base was decidedly carbonaceous, with very slight traces of earth. Professor J. could obtain nothing like coke from it; and he had tried very hard too; whilst Professor K., with scarcely an effort, had obtained forty-one per cent. of coke from it!

We do not remember how this case was decided, but here again was ample room for a jury of matter-of-fact business men who would fling science to the wind and decide on the apparent merits.

From viewing the Tribunal of Commerce in the capacities already indicated, it is necessary to proceed to a consideration of it as a Court of First Instance, as well as of Final Adjudication: and doubtless in such cases as might thus come before it, the advantages arising from its action would be equally, if not more, marked than in mere matters of arbitration. The opening up of the far interior of India to British enterprise: the enormous growth of the country and coasting trade; the establish-

ment of commercial firms in the Mofussil; all these causes must tend to complicate the relations between European and native traders, and render differences of more frequent occurrence.

In disputes or claims arising in this way there is even more need of a Tribunal practically acquainted with the work coming before it, inasmuch as there is no commercial law applicable to the Mofussil.

In the capitals of the Presidencies the commercial law is a part of the British statute or common law, which has grown up out of the mercantile necessities of succeeding generations, explained and applied with wonderful ability by some of the brightest lights of the British Bench. The American Storey speaks in the following eloquent strain of one of our eminent Judges :—"Wherever commerce shall extend its social influence; wherever justice shall be administered by enlightened and liberal rules; wherever contracts shall be expounded upon the eternal principles of right and wrong; wherever moral delicacy and juridical refinement shall be infused into the municipal code, at once to persuade men to be honest and to keep them so; wherever the intercourse of mankind shall aim at something more elevated than the grovelling spirit of barter, in which meanness, and avarice, and fraud, strive for the mastery over ignorance, credulity and folly :—the name of Lord Mansfield will be held in reverence by the good and the wise, by the honest merchant, the enlightened lawyer, the just statesman, and the conscientious judge."*

Despite the talents employed in the enactment and administration of English commercial laws, they come down to us burthened with much that is now obsolete in practice, and much that were better expunged or amended. There is indeed *too much* Law: the legal chaff needs winnowing from the solid grain. A codification of commercial law adapted to the requirements of this country, and made applicable to the mofussil, would be a task of primary importance and of great value to the industry of the presidency.

On this part of the subject one of the mercantile opinions printed in the Calcutta pamphlet is much to the purpose when it says :—

"The great expediency, nay, necessity, of having the Mercantile law of England codified and reduced to a simple and intelligible form, is an object which all who have considered the subject must earnestly desire, and for which every merchant ought to agitate; but until this change can be brought about, the proposed Tribunal must of course be guided in its decisions by the law as it now is, and cannot adopt or have tacked to its con-

* Commerce of the World, page vi.

'stitution any foreign Code, such as the Code Napoleon, which
'has been suggested. One of the first duties of the Tribunal
'would, however, be to draw up a local Code, specifying the
'customs of this port in all questions of trade, and which
'should thereafter be considered as the implied understanding
'between merchants, when there was no express stipulation to
'the contrary."

This task of drawing up a "Code," not of all laws, but simply of the customs and usages of the port of Calcutta, a committee of the Chamber of Commerce is now engaged upon: when completed it will form a valuable guide and groundwork for the future Mercantile Law of British India, which it will be the object of the present agitators to obtain from the Supreme Legislature.

Whether the Calcutta Chamber has yet agreed as to the constitution of the proposed Tribunal of Commerce does not appear, though the printed opinions justify the impression that they are disposed to favor the Maltese form. Before maturing their plans we would suggest to the merchants of Calcutta the propriety of placing themselves in communication with the Chambers of Bombay and Madras, with a view to unity of action. Their position and requirements are identical: their proceedings should be equally so. Union is strength, in things commercial, as well as in politics.

The following appears to be the constitution of the French Commercial Tribunal:—

"Each Tribunal is composed of a President, Judges and public officers, the numbers being fixed according to the amount of business. The members of the Tribunals are elected at a meeting of the principal merchants. Government does not interfere in the election, but it is from the Government that the members receive their official recognition as judges. Only merchants can be elected. The election is by ballot. The President and half of the Judges are elected to serve for two years: the remaining half are elected annually.

"The President and Judges are eligible for re-election. To each Tribunal Government appoints a register, who records the minutes of proceedings, and bailiffs who assist the Court generally, and in carrying out the judgments of the Tribunal. The Tribunals take cognizance of all disputes between merchants, and with reference to all matters concerning Commerce.

"The Tribunals give their decisions "en premier ressort," in which case the litigants have the liberty to appeal to a higher Court—or "en dernier ressort," where the parties applying for the decision of the Tribunal waive all right and intention to appeal. The decisions of the Tribunals are carried out under the usual provisions of the Law Courts."

The total number of these Tribunals in France is two hundred and twenty. The judges in these vary in number from one to ten. Those of Paris and Lyons have each ten. Eight Tribunals have six judges, one has five, ninety-six have four, one hundred and six have each three judges, whilst only seven have two each.*

The chief feature in the proceedings of these bodies, next to their practical nature, is the rapidity with which they despatch business. The utmost time allowed for a defendant to appear in Court is twenty-four hours, whilst in cases of urgency one hour only is permitted. It is on record that upon one day in 1848, the Tribunal of the Seine disposed of upwards of one hundred cases.

In Bankruptcy cases the celerity of these Courts is not less remarkable. Between the years 1836 and 1850, not less than 664,516 decisions had been given, which shews an average of 44,301 judgments in each year. *

This rapid despatch of business, combined with soundness of judgment, is, of all qualities, the most needed in the adjudication of commercial cases. Whether the matter in dispute refer to freight on some homeward-bound ship, to up-country transactions, or to a contract for produce deliverable for shipment, the urgency of despatch is equally felt. Considering the moral obtuseness of nearly all the native contractors, brokers and other dealers with whom merchants, both European and Asiatic, are of necessity brought into contact, a tribunal of men of honor and ability is even more needed here than in the West. The very presence of the remedy, so swift and sure in its operation, would go far to act as a check on much of the unfair dealing so common in the trading cities of the East.

It would seem that the Tribunals of Malta are those most adapted to the requirements of Indian communities. In each of these bodies there is one permanent judge, assisted by two merchants, the judge receiving his appointment from the Government. The mercantile members should of course sit alternately, and these would comprise both European and native merchants, as well as the members of the Trade Association, who would be selected by a list similar to that for the Grand Jury. It is true, we have not here any class of retired or half-occupied merchants, as may be found in most European cities; but the attendance might be made to fall sufficiently light to prevent the duties becoming a tax on busy men. We believe that the presence of a legal member in the Tribunal, either as an associated judge, or as

* Commercial Law of the World, page 13.

a professional adviser, would tend to assist its operation by keeping usage and law in unison.

To what value such a Court should possess the power of adjudicating, either by summary process or subject to appeal, together with other details of the question, opinions may differ; though they will readily find a solution when the time for a decision arrives. By far the most difficult and important task will be the codification and adjustment of the law commercial; ridding it of all needless technicalities and obscurities, and bringing it more into unison with the enlightened spirit of the times. It was not long since that Promissory Notes were declared by our judges to be not legal instruments, and to the present day, Letters of Credit are mere waste paper in the eye of the law, whilst Bills of Lading are decided not to be negotiable documents.

The general term Commerce may include internal as well as external trade, viz., banking in all its phases, transactions between the manufacturer or importer and the home retail dealer, as well as foreign exchanges, brokerage, &c.

The regulations which govern the former class of transactions are part of the municipal laws of the country, whilst the latter are no less international in their character, and a part of that common law of the world which over-rides, and is superior or at least paramount to the peculiar laws and usages of any nation or people, knowing no geographical or social limit, the instinctive dictates of conscience felt and recognised by the universal family of mankind.*

Our courts have occasionally, when a modification of local domestic law is called for, to refer to the positive and municipal laws of other countries, and this occurs much more frequently in commercial disputes than in any others.

The true merchant is of no country: wherever human enterprise may be developed, expanded and realised by commercial intercourse, there is the merchant's home.

If this be so,—and who denies it?—how can any merely municipal tribunal, bounded in its views, its rules, in its origin and its institution, to the wants and intercourse of one people, of a fraction of the human family, suffice to arrange, to interpret, to carry out mercantile transactions?

Is it fit that the discussion of them should be trammelled by peculiarities of local procedure, by artificial distinctions between law and equity, by maxims of mere local policy, by the appliances in fact of positive municipal laws? The Code of Commerce should surely be independent of, or at least collateral

* Sir J. McIntosh on Commercial Law.

to these; with a court, a system, a procedure of its own,—comprehensive, simple, expeditious, and in its aspect universal, international.

Before leaving this subject we would add a few words concerning the legal value of custom or usage. Local usage is a matter of *fact*, not of law: at the same time the law sets bounds to custom and usage; and very properly so. The broad principles of commercial law are fixed and determinate, and can no more be opened or unsettled by an enquiry into the usage or practice of merchants, than the law of inheritance can be defined anew. Whenever a new question arises, depending upon the course of mercantile practice, the custom is of course receivable in evidence. But, generally speaking, we may say that the rules by which the law determines upon the reasonableness of any local usage or custom can be learnt only by a diligent study of the principles on which our jurisprudence is founded. Hence it is that we advocate the appointment of a legal member of all Commercial Tribunals in India.

Besides general customs, there are *particular* or *local* customs. These may be defined as usages which have obtained the force of law, and are in truth the binding law within a particular district or at a particular place. Sir W. Blackstone tells us that a custom, in order that it may be legal and binding, must “have been used so long that the memory of man runneth not to the contrary.”* A custom, to hold good, must also be reasonable, or rather not unreasonable: a custom is not unreasonable, though it is prejudicial to the interests of a private man, if it be for the benefit of the commonwealth.† It must also have existed without interruption, and must not run counter to any other custom or usage in the same place.

With regard to mercantile contracts, it is laid down as a general rule, that they are to be deemed contracts of the place where they are made, unless they are positively to be performed or paid elsewhere. A policy of insurance executed in England on a French ship for a French owner, on a voyage from one French port to another, would be treated as an English contract, and in case of loss, would be treated as an English debt.‡

Foreign jurists contend that contracts made between two foreigners in a foreign land, should be construed according to the law of their own country, when they both belong to the same country; but some controversy has arisen as to whether the law of the domicil of the debtor or creditor ought to prevail. When a

* Blackstone's Commentaries, p. 76.

† Broom's Commentaries on the Canon Law, p. 15.

‡ Storey's Conflict of Laws, p. 375.

contract is made in a country between a citizen of that country and a foreigner, it is admitted that the law of the place where the contract was made ought to prevail, unless the contract is to be performed elsewhere. By the Law of England and America however, every contract, by whomsoever made, is held to be governed by the law of the place where it is made, and is to be executed: and where its execution is to take place in another country, it must be governed by the laws of the place of performance.*

In a port such as Calcutta, Bombay or Madras, it will readily be imagined, that the large number of vessels frequenting them, give occasion to many questions of dispute between the masters and their crews, or between the agents and commanders of ships. Cases of a more weighty nature even must often arise, calling for the jurisdiction of the Court of Admiralty, all of which might at once be referred to a Tribunal of Commerce. Questions arising out of Bottomry-bonds, salvage, collision, freight, wages, contracts, charters, &c., on all these and many others differences are constantly arising, and in no description of cases can we conceive it possible to desire more ready and speedy decisions untrammelled by technicalities, than in matters relating to ships and their navigation. How often is injustice yielded to rather than delay a vessel in a distant port, where detention is so ruinously costly?

The question altogether is one well meriting the fullest consideration of Government, who are indirectly as much interested in the just settlement of mercantile questions as merchants themselves. The executive, indeed, should deem it a privilege to have its judicial functionaries freed from the onerous task of wading through cases, the technicalities of which are as foreign to their practice, as the merchant's calling is to their own profession. So far from eroded justice shewing jealousy towards a practical Commercial Court, it should lend its best energies to bring these Tribunals into operation in every Indian port.

* Storey's Conflict of Laws, Chap. viii., p. 375—6.

ART. IV.—1. *The Times Newspaper.*

2. *The Overland Mail.*

3. *Hansard's Parliamentary Debates.*

4. *Thacker's Overland News.*

WE are constantly hearing and saying that India has been brought nearer to England, and we are content to believe it. Yet we are, as constantly, meeting with evidence to show us that India is still as far off as ever. The truth seems to be that while in outward and material things, India is three-fourths nearer to England than it was thirty years ago, in thought and in virtual, inward connection, it is just where it was. Or, perhaps, it would be more correct to say that it is England and the English that have been approximated to India and its inhabitants and sojourners, while India, to most Englishmen at home, is still almost the India of Hastings and Burke.

So clear to every one is the fact of *our own* proximity to home, that we should feel some apology due for at all dwelling on the subject. We have news five weeks old, laid once every fortnight on our tables! We have two easy modes of proceeding home across the continent; and, with a little more enterprise, we might have two modes of crossing the Indian Ocean. Time and space, though not annihilated, nor even contracted to their shortest span, have been considerably reduced. We hope for a railway that shall bring Bombay and Calcutta within three or four days of each other. We talk of a Sub-marine Telegraph, a Railway down the valley of the Euphrates, a fast set of Steamers in correspondence with the railway, or, for invalids and children, a journey round the Cape of twenty-five days, in vessels of positive comfort and tremendous horse power. Civilians and military men recruit themselves with one year in England, instead of unprofitably dozing away two years at the Cape. The merchant, leaving Calcutta after the indigo in which he is "interested" has sprouted from the ground, is back at his desk just in time to know that the blue cake is selling well at the auction mart. The lawyer leaves his clients in April, and finds them undiminished in the following December. Even a hard-worked Editor can get away for six months, and those who do not, think that they catch a real glimpse of England in the latest fashions and the newest books.

Yet it is not too much to say that all these advantages are mainly on one side. We, here, retain our hold on England. England has now no firmer grasp, no more vivid conception, no more real knowledge of India, than she had before the intro-

duction of steam. With this frequent intercourse, these fine vessels, the constant crowd of passengers, with the great wars, the wise measures, the occasional blunders, the triumphs of statesmanship of the last few years, England barely advances one single step towards intimate acquaintance with India. We are speaking from no vague theory, nor imperfect acquaintance, but from an experience of nearly three years, in which, by a constant intercourse with men of all classes, the above sorrowful conviction was forced upon us, and we propose to devote a few pages to the consideration of this subject; as it concerns the successful administration of India both at home and on the spot.

In plain language, we must commence our remarks by broadly stating that the feeling amongst Englishmen generally, whenever India is mentioned, is, either that of extreme apathy, or of extreme ignorance, or sometimes of both. There may be occasions when this stillness is broken by some startling event. A war or a mutiny on the North West frontier affects the funds in the city. The annexation of a new kingdom rouses the anger of philanthropists and the capitalist's hopes. The return of a great statesman, bowed down, it may be, by toil, and weakened by climate, but rendered illustrious by a long catalogue of great wars successfully terminated, of noble reforms vigorously executed, and of prominent obstacles boldly confronted or impetuously thrown aside, may be the signal for an universal burst of acclamation from men of all classes and creeds. On such occasions the apathetic will rouse themselves to listen, and the envious may forget to sneer. But the excitement soon passes away: the statesman retires to the repose which he has well earned: and India rapidly gives way to the affairs of the vestry, the appearance of a new singer, and the vital question of fourteen pence in the pound.

One way of estimating the amount of acquaintance with Indian subjects, generally to be met with in Englishmen, is to consider, in succession, the salient points of English life and society, the Press, the Houses of Parliament, the double Government in Cannon Row and Leadenhall-street, the Town and the Country, the life of Business and the life of Pleasure. We commence with the Press; and we may fairly ask what paper of influence really throws light on Indian subjects, or treats such questions with the uniform attention and fairness which they deserve? Of course, the *Times* can always command the best talent available; and on any important Indian political question, we may look for two columns in which an amount of information, neither scant in itself, nor vastly inaccurate, nor strangely misapplied, shall be presented to English readers in the well-known sounding phraseology and large type. We may also trust this paper to be keenly

alive to the immense value of our Indian possessions, and to be not oblivious of the success of their administration, when compared with crown colonies; and when not inflamed by passion or distorted by some party views, it will be sure to oppose anything like reckless innovation. Its Indian correspondent, too, has lately been changed with effect. But the *Times* must write on fifty questions besides Indian ones; and practical men of little leisure, whose reading is confined to a daily canter over its columns, will quicken their pace to a gallop, when India catches their eyes.

The *Examiner*, clever in detecting sophistry, honest in advocating reform, piquant in illustration, pungent in sarcasm; seems on Indian topics to be animated by a malicious, ignorant, uncandid, unenquiring spirit, which assumes every act of our Indian Government to be unjust, every success ill-timed, every triumph a lucky blunder, and every motive impure. The Santals were roused to rebellion by the screws of the revenue officers: the pension to Lord Dalhousie was discussed neither in the spirit of merchants nor of princes, but in that of a retail trader, casting up his accounts. The report of Sir John Lawrence on the Punjab, was a cleverly "cooked" account, drawn up to enhance his own merits; and the increase of cultivation in the Baree and Chuch Doabs, owing to peace and tranquillity, was nothing else than a presumptuous defiance of the Laws of political economy, and an indisputable evidence of mis-rule! Yet our readers well know that the laws of the increase and decrease of produce are widely different in Europe and Asia; and if there is one point, on which Indian administrators are agreed not to quarrel, it is on the inevitable tendency of our occupation of a new province, immediately to increase agricultural produce, to lower the market prices, and thus temporarily to impoverish those who till the soil. The remedy for this state of things lies in railways, roads, and improved water communication, which have now their fair share of attention; but not in discussing the state of the market at Leia or Sealkote, on the principles which regulate the supply at York or Mark Lane.

Passing from these two papers, we have the *Daily News*, which has of late discussed Indian questions in a more temperate spirit; the *Illustrated London News*, which confines itself to giving some remarkably correct and spirited sketches of Indian shows or gatherings on particular occasions: the *Press*, which is noted for nothing but ignorant diatribes against every thing done or attempted in India; and an *Indian Mail*, which is selected as a vent for the insane ravings of the secretary to the Indian Reform association. To what paper, we ask, is a man to be referred

in England, who wishes "to get up" the salient points of any internal Indian reform?

We next come to the Lower House of Parliament. This remarkable assembly is known to contain several first class statesmen, a few hot-headed, unreasonable, and unsound politicians; some "*Brummagem*" philanthropists; a large number of gentlemen, who, whatever be their party, are gentlemen in feeling; and a good many persons, who had much better be attending to the affairs of the counting house or the drilling of turnips. Amongst the above classes, are to be found men qualified to speak and enlighten their audience on almost any topic that comes under Legislative discussion: on the amendment of the criminal code, on the operation of the poor laws, on the administration of our colonies, on the morals of mechanics, on the details of prison discipline, on the mode of conducting correspondence in public offices, on the site of the national gallery, on the best mode of ventilating crowded chambers, on the history of great constitutional questions, on the sale of malt liquor, on the extension of the franchise, on the Law of Divorce, on our relations with the continental powers, on the system of purchase in the army, and on the "self-consumption" of smoke. There are men who have been the captains of ships, and the colonels of regiments: active chairmen of quarter sessions; owners of cotton factories and coal mines; lawyers of extensive practice: diplomatists of great skill; and independent gentlemen who have travelled half over the globe. There is rarely an occasion when information on some stirring question will not be furnished by some one, who has considered it in the course of his daily avocations, or who has selected it for his peculiar study. But how different, if the subject be an Indian debate. It may be taken as the rule, that the men who then speak know nothing whatever of India, while the men who know India, are not there to speak. We will go further, and say that, except the Indian question be made a party cry, there is no subject so calculated to empty the benches of the senate. We will take the two debates of the session of 1856,—that on the Nawab of Surat, and that on the Indian budget. A full house assembled to hear the discussion on the first question. Many of the members knew no more of the Nawab of Surat and his pension, than they did of Burke's Nawab of Arcot and his debts: they had never attempted to master the pedigree of the family, the claim to title, or the points of relationship; still less had they considered the constitutional aspect of the proposal, by which it was intended to grant away public revenue by a private bill. It was sufficient for them, as some had the honesty to confess, that the bill was supposed to run counter to the

East India Company, and that it was to be opposed by the eloquence of Sir James Weir Hogg. The bill was passed by men of that particular liberality, which is ever ready to grant away the property of others; and the House dispersed. A few weeks subsequent to this, the question was—not a tribute to be paid out of a large revenue—not the re-imbursement of one man supposed to have been defrauded—not the grant of an adequate provision for an undisputed title—but, the whole financial statement of a splendid empire,—which would have afforded men really interested in India, a grand opportunity for insisting on due provision for the cheapening of justice, the protection of property, the spread of education, and the extension of roads. On this occasion, we grieve to say, there were not fifty members in attendance. At one time it was positively a question, whether there would not be a count-out. But sufficient men were found to doze and lounge on the empty benches, until the President of the Board of Control had delivered himself of his burden, and a few members had made some desultory and pointless remarks.—And yet it was on such a night, with the remembrance of the crush on the bill for the Nawab of Surat, and with the obvious comparison between the interest created by a party and the interest excited by a kingdom, that a gentleman, an ex-judge, who has all the conceit of Lord Erskine without one flash of his oratory, and all the vanity and restlessness of Lord Brougham without one particle of his talent, had the assurance to rise and gravely to congratulate his scant and dreamy hearers on the visibly increased interest which the House of Commons was devoting to Indian affairs, and on the permanent benefits which it was thereby likely to confer on that neglected country!

It is refreshing to turn from this picture of “London Assurance” to the Upper House. There are many men in this assembly, who like those in the Commons, know little of India. But there must generally be two or three men who have filled the highest office in this country, and who, like the Law-Lords on jurisprudence, can speak with all the weight of talent and experience. At this moment, and for the last few years, we have been rather unfortunate in the number of our representatives. There are only two men now in England who have ruled India for various periods. A third, whose local experience was of no later date than the first Burmese war, was for a long time incapable of taking an active part in public affairs, and is just dead. The last retired proconsul is slowly recovering, amidst the anxious wishes of friends and the expectations of the political world, and like Ivanhoe after the tournament, is yet unable to bear his corslet. The other,—earnest, eccentric, with a mind occasionally warped by prejudice, but with

JUNE, 1857.

U U

great oratorical talents, and undeniable honesty and boldness, stands alone amongst his peers, to illumine darkness, to check innovation, and to rectify mistakes. By no organ was Lord Ellenborough more roughly handled when in this country, than by this *Review*. Free comments were passed, in an article that appeared thirteen years ago, on his military ardour, his disregard of controul, and his love of display. But he has, of late, on Indian questions, displayed a candour, a sound judgment, and a strong sense, by which his past errors are well-nigh redeemed. He defeated the salt *reforms* of 1858. He shewed clearly the dangerous character of the bill relative to the Nawab of Surat. He has raised his voice against unjust and impolitic reductions in the salaries of the Civil Service—unjust to those who, having lived for ten or twenty years on moderate allowances in the lower grades, now hope to lay by some small provision against retirement; and impolitic, after the grand and sonorous proclamations by which the young men of talent, in every educational institution, were invited to compete, and find, to speak familiarly, that their bread and butter was cut for life. It is literally to Lord Ellenborough that we must at present look for assistance, whenever Indian affairs may occupy public attention, just as the Trojan leader, by the direction of the oracle, looked for assistance to a city founded by his old foes, the Greeks.

Via prima salutis
Quod minimè reris, Graiâ pandetur ab urbe.

We look, too, for some help from the old Tory Lords, who, however unfitted to calm the heavings by which England is constantly agitated, are always sure to speak with humanity, with earnestness, and on sound and high principles, as regards the conduct of foreign affairs. We now know that if the wonderful oratory of Lord Lyndhurst,—the Nestor of debate without his love of long stories—is poured forth against that northern power, which, in the words of Sir B. Lytton, “invades its neighbours, and insults the world,” the thrilling tones of Lord Derby’s voice will be raised against those proceedings in China by which humanity has been disgraced, and the British name been tarnished. Indeed, we have long thought that the Tories are far better fitted than the Whigs for the conduct of foreign negotiations, or for the Government of India. The Whig, full of projects of improvement, believes himself urged on by an irresistible destiny, to transmute Hindus into Anglo-Saxons, to set right the time, whenever it be out of joint in Greece or Italy, and to make all people, everywhere, suppliers of cotton or consumers of cloth. The Tory, though resolute to maintain all the landmarks of the constitution in England, has never, that we know of, been an

enemy to civilisation. We could trust his sense of honour to preserve us from either committing or enduring wanton aggression; and we do not think that any fears for the landed interest, or any desire to protect one class at the expense of another, would ever lead him to deny to India, what she really stands in need of, an uniform and consistent code of laws, an education for the million, and an improved system of intercourse by bridges and roads. There would be still hope, we think, for India, under a Tory Government. The gross neglect of the Ministers last year, in omitting even to notice in the Queen's speech, that there was such a thing belonging to England as an Indian Empire, was publicly censured by Lord Derby. But with one or two exceptions, we have no desire to impugn the conduct of any member of the Upper House, whenever their attention has deviated to India. Be their creed what it may, they are men of high principles and lofty ideas, generally possessed of such ample fortunes as to render them independent of place and pension, accustomed by position and training to look with veneration on whatever is old and hereditary, and not likely to sanction important changes anywhere without careful enquiry. Putting aside poor Lord Albemarle, whose nights' rest is broken by the cries of tortured Hindus, and perhaps one or two more, there is no peer who indulges in violent and unsupported declamation; and the Upper House contains no man, we are proud to say, not above the low arts of Indian intriguers, not proof against special retainers in the shape of pearl necklaces, no one to be influenced by emeralds, to be dazzled by diamonds from Golconda, or to be lured from his duty by the shawls of Cashmere.

Still, with any amount of admission, the absence of persons qualified to speak, in either House, on Indian subjects, is matter for serious regret. A fatality seems to dog the footsteps of those who are. Lord Metcalfe, who, we think, would have soon proved himself master of that calm, sober, and judicial oratory, to which the peers will always listen, never took his seat. The late Lord Hardinge was rarely seen in his place. Lord Dalhousie needs rest. The burden is borne by Lord Ellenborough in the upper, and by Sir James Hogg, and occasionally by Mr. Mangles, in the lower House; and what likelihood is there that ordinary mortals will get up the *pros* and *cons* of Indian revenue, when we find an orator like Mr. Gladstone, and a man of business, earnestness, and experience, so careless in the acquisition of the merest elementary knowledge of India, as to rise in his place, in the face as it were, of a proclamation, and ask the President of the Board of Control, whether the late Persian war was undertaken by the Governor General of India, or by Her Majesty's ministers! If this carelessness is evinced by one of

the first public men of the age and country, what are we to look for in great bankers from the city, heavy squires from the West Riding, and overworked lawyers from the musty chambers of Lincoln's Inn?

From the Houses of Parliament, it is but a step to Cannon Row. When this edifice was presided over by Sir C. Wood, we had at least a man who, whatever his special training or aptitude, spared no pains in order to arrive at facts. His interest in India, his capacity for business, were attested by the well known despatch on education, the materials for which were entirely collected by himself and his private secretary, with much deliberation and research. It will be fortunate, if, after his departure, we find in Sir George Clerk a counterpoise to the vagaries of Mr. Vernon Smith. There is a story going the round of the Presidency regarding this functionary, which beats even Mr. Campbell's Bramah locks, and which we have heard on too good authority to be shy about quoting. The President of the Board of Control actually wrote to the gentleman now occupied in reporting on the revision of salaries, to state that it was fully expected that his reductions in the salaries of the Civil Service would cover the whole yearly expenditure on public works—whereas, our readers know well, that were the whole of the Civil Service to serve for twelve months, eating air, without one farthing of pay, the entire pay so deducted would not reach the required expenditure by one-half:—and this is the man who, from family connexion, is set up to controul eighteen men, who all know something of India, to check their benevolence, to limit their honourable efforts, and to spoil their despatches by the insertion therein of ungrammatical English. Of the knowledge of India possessed by the majority of the Court of Directors, who have been here in some one service or other, there can be no question. Whether that knowledge has always been powerfully displayed at the most important crisis, or in the most advantageous manner, may perhaps be doubted. And it is unquestionable that men of the widest experience, the most enlarged sympathies, and the most acknowledged Indian reputation, have not been enrolled as members of the Honorable Court. The wearisome and often humiliating canvass for the votes of proprietors, has proved too much for the tempers of men who had been proof against the innumerable and harassing details of an extensive department or a populous province, whom native intrigue, corruption, or chicanery could not weary out, and who remained contented with the enduring reputation, which the abolition of a cruel rite, a reform in the law, or the transformation of savages into cultivators, had conferred on their names. But even with the omission of such men as Elphinstone, Holt

Mackenzie, and Robert Bird, the Court has always included men of sufficient intelligence, honour, independence, and liberality to have fought a more successful campaign. The position of the court is often awkward or anomalous. The members, anxious to do their duty by India, in its widest sense, are naturally anxious to avoid a direct collision with the power by which they are controuled. They are aware that their best intentions may be frustrated by the pen of an inquisitive clerk or an uninformed under-secretary. They have constantly to bear the odium of political measures, when few of them have read one line of the correspondence by which these measures are enforced, and those who have, have read them to protest. They are thus so often cut off from the knowledge necessary to a good defence, that they omit to defend the cause on which they possess abundant information. We all know the inevitable consequences of letting judgment go by default. Secure in the consciousness of upright intentions, fully aware of the difficulties under which Indian reforms must be carried out, seeing an amount of misery in England amongst the population of great cities, to which India happily affords no parallel, proof against invective, intimidation, or corruption in any shape, the members of the Court look calmly on amidst the long howls of Manchester and the growing thunders of the press. But they seem to have entirely forgotten that a country, where constant political agitation deadens the moral perception, and where quarter is not given to political opponents, is not the best fitted for a display of impassive though virtuous serenity. In England credit is always given to an unrefuted calumny. There is no such thing, in the minds of Englishmen, as the virtue and honesty of public bodies that can or will make no defence. The most sober and unexcitable reason on this subject as Dr. Caius did, when he detected young Simple in his apartment. "Vat shall de honest man do in my closet? dere is no honest men dat shall come into my closet." There can be, similarly, no honesty of purpose, no purity of practice, imputable to men, who when the administration of a fine empire is loudly assailed, have little beyond a calm and impassive demeanour to oppose to repeated charges of broken promises, of violated trusts, of squandered or mismanaged revenues, of wasted provinces, of unjust taxation, of unfinished public works, of a corrupt judiciary, of a weak executive, of abuses that have been too dearly cherished, and of reforms that have been too long delayed. The honest men cannot wrap themselves in their simulated virtue, and are not honest, if they hide in the closets of Leadenhall Street. The answer was not given, because the accused had no answer to give. If there had been a trump card, the adversary's deal would have

been spoilt. If there had been a "smashing rejoinder," the presumptuous opponent would have been crushed to the earth, or would have sneaked off to the lobby or the back benches in dismay.

So reasons, and not without some foundation, many an English mind. We admit that a full and satisfactory answer was not to be given, or not to be given in one speech, to all the charges of neglect or mismanagement that have been advanced against the Company. There is corruption in the lower officials. There is one law for the rich. There are bands of robbers, whom an unhappy respect for forms, and a vague dread of summary and decisive proceedings, suffer to exist, and to plunder their peaceable neighbours. There are laws with no operation, rivers with no bridges, and provinces with no roads. But while something might have been written or spoken to explain these past laches, or to show that reforms were in progress, at any rate a great deal might have been said to show that something had been really done. But the storm which burst on the Court in the spring of 1853, took them quite unawares. It came like the meteor, so finely described by Burke, as preceding the invasion of the Carnatic by Hyder. It hung for a while on the horizon, which it blackened, and then suddenly bursting, poured down the whole of its contents. All the "horrors of the two last renewals of the charter, were indeed mercy to that new havoc." The "universal storm of fire," if it did not sweep away every landmark, robbed the Directors of one of their most valued privileges and their finest patronage, and left them in a condition from which even their warmest supporters cannot derive much hope. If the question be asked, what should the Court have done? We answer,—anything, something, rather than have disregarded the almost unanimous voice of the press. It would have been far better to have printed pamphlets, to have penned leaders, even to have subsidized newspapers, and to have flooded the tables of Editors with selections from their copious archives, than to have remained quiet and have done nothing. We do not, of course, forget the excellent work of Mr. Campbell, and the earnest advocacy of Mr. Kaye. But what was wanted then, and is wanted now, is some organ of public opinion, which, not merely at a crisis, but in ordinary dull life, shall make it its business to explain Indian questions in English language, to refute absurd calumnies, and to urge on Indian reforms, with that temperate language and sound logic which never fail ultimately to secure attention and respect. Men of every other interest, party, section, corporate body, religious association, throughout the length and breadth of England, have their mouth-piece. India, with all its advantages, has none whatever. It is a losing

game to be silent where all are talking, to be inactive where all are at work, and to wear your sword in the scabbard, while others are eagerly parrying or giving blows.

But there are other points for consideration, besides past injury inflicted on India by inactivity or silence. We have been arguing on the assumption that the government by the Court of Directors, with all its drawbacks, has been productive of real good to India; has approved, enforced or originated many sound measures, and has stood firm against the ignorance or the presumption of Cannon Row. But it can escape no one that, shorn of its privileges, limited in its sphere of action, a mark for the factious and the discontented, the Court now commands less of confidence than it did before 1853. The question of the double government has been thoroughly discussed. The wisdom of an arrangement, which was sanctioned as a concession to avoid greater changes, is again constantly questioned. Men, averse to innovation, are to be found speculating on the propriety of abolishing the Court, and appointing an Indian Minister, with a Council of twelve, who should tender him useful advice and meet with only reasonable check. This plan, it is said, would save time and money, and would let the public know who was really responsible for the commencement of a war that never should have been undertaken, or for the stoppage of works that had suddenly been brought to a stand. As to the question of time and money, there is no doubt that we should save both. It may seem anomalous that every letter from any functionary whatsoever, on any trivial subject, which reaches any one of the subordinate governments, or the government of India, containing the most superfluous information, or relating to a matter which will be forgotten in twenty-four hours, should be sent home in triplicate; that grey-headed clerks and intelligent directors should pore over the substance of every document so transmitted: that notes and pencillings should be made on each separate paragraph; that questions should be asked, past correspondence be referred to, and sanctions be gravely accorded to expenditure long since made, to the repairs of a Thannah in Rohileund, to a line of extra runners, during the rains in Eastern Bengal, or to the white-washing of a public building in a remote part of Arracan. Some people, we say, may think, that supervision even to this extent is too dearly purchased. Still there must be supervision somewhere; and the Court may truly say that to leave Indian Governors the power of making selections from their correspondence, and of transmitting home only such portions as they think expedient or necessary, would be virtually to abdicate the duty of check, and might, in the hands of unscrupulous individuals, become the means of oppres-

sion, injustice, and fraud. So, to be sure, of any one document, the court must have all. On the other hand, the court most wisely and justly refuse to listen to any representation from any party, be he who he may, or wherever he may reside, who has not submitted his case through one of the local governments in the East. But that a copy of every document perused in Leadenhall Street, should be sent to the west end of London, that on its arrival there, we should have the same laborious process of analysis, enquiry, reference to past correspondence, and "pencilings by the way," that young clerks, never in India, should bring the characteristic modesty of their age and station to enquire into Indian mis-doings, or that a secretary from Ireland should overhaul the revenue administration of the late Mr. Thomason, that 'notes' and 'precis-writers' should again be in the ascendant: and that an unlucky draft should be sent backwards and forwards, three or four times, from one body to the other, before it can be approved—is, to us, one of the Eleusinian mysteries of government. All the weight of character, and all the known ability, of some men who still adhere to this cumbrous method of doing business, fail to convince us that it is incapable of change. Something might be said on the other hand if this double government tended to fix responsibility. But it is almost universally agreed that it tends to create confusion. No one knows to whom blame and praise are respectively due. A director in the court of proprietors, darkly hints that the wishes of the President of the India Board must be consulted. Mr. Vernon Smith, in the Commons, does not appear to be conscious, whether in defending himself, he is attacking or defending the Court, or whether it is his proper cue to do the one or the other; all is uncertainty and doubt. Give us a responsible minister. Sweep away the present Court of Directors, appoint some qualified assessors or councillors, and, it is said, all will be smooth. This might be very well if we had a 'material guarantee' for the experience or talent of the minister, or a certainty that the councillors would always be wisely chosen, and would remain long at their post. But it is known that difficulties have already arisen in the working of that part of the charter which gives the ministry power to elect six of the directors. A director so nominated, holds office for five years. This plan has given us some very good men in the court, whom we certainly should not have had so soon, or not have had at all, through the votes of the Proprietors. It may be very consistent with the power to nominate originally, that there should be the power virtually to dismiss, by refusing to renew the nomination. But may not this be conceding too much to the minister, and leaving too little freedom of action to the Council? Independence is not

quite unassailed, when the chief executive nominates his councillors. What then is to be the tenure or length of office? What, if the councillor should be honest and independent, and the minister incapable and obstinate? What if the nominee finds it absolutely incumbent on him to oppose an unjust war, to protect against a pitiful attempt at economy, to question the necessity of suspending an important reform? Is India to lose the benefit of his services, because he has the sounder views and the larger experience? Or, should the selection be unfortunate, is the minister not to have the power of getting rid of a councillor, incapable through advancing age, or wrong-headedness, or any other cause? Then, are the persons selected for the office, to have the power of holding seats in Parliament? If they have not, their pens may be worn to the very stump, but the bad measure may pass, because their tongues are silent, and the iniquity is not exposed. If they are to sit in the House, are they to be considered like the under-secretaries to government, who can only speak on certain subjects, and then at the bidding of their chief? Or are they to have full freedom of thought and expression? And in that case, may we not have the spectacle of a minister for India opposed vigorously by his own subordinates,—Actæon baited by his own hounds? Yet, it can surely never be taken for granted that the minister will always be the man most fitted for his post. What well-wisher to India would contemplate that country, bound and deliberately handed over to the gentleman who now fills the post of President, the Court or Council gagged, the rest of the ministry occupied with their own departments, the public indifferent, and the press mute? We recommend those who wish the abolition of the Court as at present constituted, seriously to consider the details and working of the plan which they will give us in its stead. The Directors, it is true, do not command universal confidence. They have not the position in general estimation, to which they are entitled by their experience, their honesty, and their rectitude of intention; but they do know what they are writing about; they constantly act as a safeguard: and absurd as the system of election by proprietors may be, it still leaves the elected directors more independent than those nominated by government, and quite as independent towards the proprietors, as one half the members of Parliament can be with regard to their own constituents. It has been predicted by a foreigner of much talent and observation, some time resident in this country, that fifty years will be the longest limit of our retention of India, whenever it shall have been handed over to an unfettered minister of the Crown. Those who, from discontent with the present system, or from consciousness of its evils only, are anxious to

sweep away the double government, are bound to substitute in its place a single government, that shall combine the essentials of positive independence, talent, and freedom of action, with harmonious working and with constitutional checks; and this, we submit, is what we have not yet before the public.

Our whole argument, in fact, is reduced to this: we advocate the present retention of the Court of Directors, until, at least, the English public shall know something more of India, because we have not confidence in the capability of any single individual to conduct its affairs, and no certainty that any Council of men selected by the ministers, will be organised on the soundest principle, invested with the requisite power of action, or empowered to make the intentions of government known. If anything is to be abolished, we would rather see the whole establishment of Cannon Row swept into the Thames, and the Indian minister, aided by a good private secretary, left to regulate all important changes, and to sanction all new measures, while the members of the court, in their various marine, revenue and Judicial committees, were left to "revise" and "approve" and "remark on" the mass of papers which represent eight-tenths of the current business of the empire. We write this in no desire that the key of knowledge of India should rust. There is some safety for that country in the usual apathy and ignorance of Englishmen at home, and in the gradual though sometimes tardy reformatations of Englishmen, of whatever profession or opinion, who are working away in their vocation. There would be abundant safety for it in diffused knowledge, constant intercourse, and familiar observation on the part of Englishmen generally in England. But there can be no hope in the crude, hasty, spasmodic, attempts at reform, which are made from sheer recklessness, at odd times, to serve the commercial or the political purposes of a class. We cannot trust individuals or bodies to legislate off-hand for us on these points; and thinkers or writers here must be strangely mis-informed on the conduct or character of some well-known public speakers, if they believe that India can be safely entrusted to the Right Honorable the member for Kidderminster, as a man, who with all his talents, is ever likely to command the house, or is calculated to win confidence and respect from the community at large.

We turn from these points to the society of England in general; and it is here that we feel how hopeless a task it is to endeavour to excite amongst its members, an amount of interest likely to lead to any one definite result, even though it were a wrong one. Society in England, especially down in the country, is, like society in other places, composed of men and women, rectors and squires, soldiers and men of business, occupied with

their own avocations and cares. Let any one, lately from India, be suddenly set down in any circle, in any part of England, and if by any chance, India should form a subject of conversation, we will venture to say that the remarks of the members of that circle will, in substance, never get beyond the following limit. The lady of the house will ask a few questions about household arrangements, the purveyance of the table, or the facilities of obtaining ice. The squire or country gentleman will manifest a slight anxiety as to the operation of the poor laws in the East. The guardsman or dashing soldier will hazard an opinion that, after a season or two more with the Quorn, he would have no objection to try a month's hog-hunting in the plains, or recruit his finances by a residence in the hills, on the staff of the Commander-in-chief. The Rector, as in duty bound, will wish to know what progress the Missionaries are making with converts, and will gravely refer to Sydney Smith's article in the *Edinburgh Review*, published about the beginning of this century, relative to the danger of Missions. All will remember that they have a relative, somewhere between the Brahmaputra and the Indus, who turns out to be something in connection with the Mairwara Battalion or the Ahmednuggur Irregulars; and it is quite within the bounds of possibility that if the distant relative so enquired after, or any other, were asserted to be, at that moment, holding the responsible office of Collector of window-taxes in the Sunderbunds, some young gentleman, fresh from the latest doctrines of political economy, and with an eye to a seat in Parliament, would at once begin to argue on the cost of collection of such a tax, on the probabilities of its increase, on the amount of disaffection it would generate, and on the propriety or otherwise of excluding heat and light from the dwellings of humble Mohammedans and Hindus.

We entreat our readers and reformers to work out the good measures which they have in contemplation for India without any reliance on the co-operation of Englishmen, as springing from the solid and firm basis of lively interest and real familiarity. India, to speak the truth, has never been a popular subject. It has been the mark for ridicule, for contempt, for philanthropic indignation, and for stupid wonder. The keen satire of one set of men has been succeeded by the hopeless apathy of another, and the stillness has only been partially broken by the misguided and blundering liberality of a third. There have been no popular Indian histories. It is possible that two small volumes, written in the aim and spirit of Mrs. Markham's *France and England*, with two or three dozen wood-cuts, and some accurate remarks about manners and customs, might even now be the first means of introducing boys and masters to the presence of Aurungzebe and

Akbar. Then, when English scholars of taste hear ponderous Germans talk about the treasures of literature concealed in piles of Indian manuscripts, they simply smile and shake their heads. It needs all the classical taste of Mr. Williams, and all the unrivalled type and picturesque illustration of Mr. Stephen Austin, to make general readers cast one glance upon the unique and exquisite poem of *Sakuntala*. It is only on some striking mark of progress, such as Mr. Grant's law for the re-marriage of Hindu widows, that a few thoughtful men will begin to estimate the gradual dispersion of error, from the days when Wellesley prohibited the drowning of infants, to the time when Bentinck forbade the mothers to burn themselves, and down to the present day, when Hindus are eager to ask for the co-operation, instead of resisting the voice, of law. It takes eight years of an administration, at once wise, brilliant and lasting in its effects, to fill a few columns of the *Times*, or a few pages of some popular *Review*—and it is a remarkable fact that the two oldest, most read, and most influential *Reviews* in England, have never devoted ten pages a piece to the consideration of the late reign. Moreover, the omission of men to write at all, and the defects in books that have been written, have not been supplied or corrected by any amount of personal observation. Travellers to India, for mere pleasure, have been few in number. The distance, the length of time, the amount of expense, the possibilities of sickness, have all been against the trip. Those few independent gentlemen, who have surveyed our mankind from Pegu to Cheenee, have of course had their senses gratified and their minds awakened, and it would give us the greatest pleasure to see the whole House of Commons, with the mace and Speaker at their head, sent forth "to do" India, in successive detachments. But, in the absence of this parliamentary commission, it is little that can be effected by scattered testimonies of a few earnest gentlemen, however enriched by illustration, or pregnant with facts. The mass of English householders, of course, may be startled and awakened by the roar of cannon celebrating some Indian victories, or by the lofty and high sounding phrases of the leading journal at the success of some moral or material undertaking, by a *Gazette* publishing honours bestowed by the Sovereign, by the congratulations of the Ministry, by the announcement of the rich and solid banquet which the Court can set before heroes and administrators, to the envy of Aldermen and the despair of Corporations. But the same mass have a great deal too much to occupy them, in domestic cares and ordinary employments, to think of studying, or paying even common attention to, the unfamiliar or uneventful routine of Indian daily history.

We shall scarcely wonder at this, if we consider, whether Indians, on the other hand, are wont to pay much extra attention to the affairs of another colony. There are two subjects to which a man here pays a considerable amount of devotion, unless he be inordinately idle or provokingly dull. These are the details of his profession; whether he be merchant, missionary, civilian, editor, or soldier; and English affairs, political or domestic. The greater part of his energy he expends on his desk or his kutcherry. To these are consecrated his most precious hours, his best talents, his most earnest thoughts, whether he be the expounder of public morality and the critic of statesmanship, or the commandant of a wild and extensive frontier, or the governor of a fertile and a populous province, a pains-taking judge or an active magistrate. The remainder, not to say the refuse, of his time and his talent, is given to keeping up his connection with friends in England, and to retaining that knowledge of English society and life which is so apt to slip away. This will, we venture to say, be found the rule with every man who is not so busied in official papers that he has not time to look around him, or so oriental by long habit as to have ceased to care about the west. But of the most active of the above classes, who labour in their vocations to disseminate truth by writing, or to preserve a frontier from invasion, to root out disaffection by a firm but beneficent administration, to do justice, to get at truth, to proclaim the beauty, the sufficiency, the awful majesty of Christianity, how many are there who can spare time to study the constitution of South Australia, or the internal affairs of New Zealand? How many are there, to come a step nearer, who feel a "deep and lively interest" in the proceedings of the Legislative Council at Colombo, or care whether the estimate be or be not sanctioned for the great coffee-trunk-road from Wauk Welle to Pussilava? We will come nearer still, to countries inhabited by similar populations, governed professedly on the same principles, ruled by the same viceroys, and subject to the same laws. We mean the different presidencies of India. Does the collector of the southern Concan care whether Cawnpore be too highly taxed, or feel himself at all called on to discuss the provisions of the new sale law for the preservation of under-tenures in Bengal? Has the Deputy Commissioner, if assured of the quietus of Fuzzul Alee, much speculation for the probable rise of the Moplahs? Is it not the general complaint among men who take a wide and comprehensive view, that Madras feels itself aggrieved by the systematic neglect of its interests by Bengal, that Rohilcund has no sympathy with Tanjore or Tellicherry, and that the amount of knowledge possessed by the resident in one presidency of the affairs of another presidency, is small

originally, and has never increased in value or amount? With this admission, can we wonder that men in England, some of whom have too much business, and others have no business-habits, can barely rouse themselves to consider, whether they have any clear ideas about India at all? Of course, there is an obvious difference between the affairs of our best colonies and those of India. Whether we should lose or gain by the defection, or independence, or transfer of some of our colonial possessions, may be an unsettled question. We might, perhaps, be well rid of some barren and costly islands. We might, for a season, feel the loss of others, like the loss of a limb, and yet recover our pristine vigour in a short space of time. We might see with tacit acquiescence, if not with applause and admiration, wastes converted into corn fields, republics rising out of settlements, the wealth of a new Liverpool, the learning of a second Oxford, the oratory of the senate, the eloquence of the bar, flourishing in the marts and cities of a country, once a mere appanage, now an independent kingdom, redundant with the vigour, the lusty health, and the life-blood of the Anglo-Saxon race. We might look on the spectacle with an eye of affection and regard. But, as we all well know, the loss of India would be very differently felt. We have not yet reached the point, where civilization emanating from the centre, rushes to the extremities, and gives vitality and energy to the whole frame. If we withdraw, the empire collapses in anarchy, or, grasped by another foreign power, is speedily reduced to the dead level of despotism. But we believe that this truism is the subject of a cold, passive acknowledgment, not of a vital belief, in England. In fact, it has been well said that the study of India there will be thoroughly commenced, when, by some act of folly, we shall have gambled India away. The real value of this acquisition, like that of so many others, will only be felt after the loss.

Something of this feeling may explain, why the system of competition for the civil service, of so many proud vaunts, of such fond expectation, and of such felicitous augury, has not called forth the overwhelming amount of talent that was anticipated. It was said that competitors would rush to Cannon Row in crowds. It was asserted in print that no examination hall would contain one quarter of the number of candidates. And it was gravely recorded by Mr. Macaulay and his colleagues, that this splendid field of promise would effect an important change in the whole system of education, at the Universities and elsewhere. We neither object to a fair trial of the open system; nor do we deny that, to all appearance, we have already secured several new members of much promise, while we have certainly excluded positive dullness and incapacity. But it is equally true, on the

other hand, that writers who looked for most brilliant and startling results, have not scrupled to confess their disappointment at the decreasing number of candidates ; while the same persons are perplexed at still hearing complaints of hard times, choked professions, avenues to progress and eminence barred, and men of good education, and more than average merit, sitting briefless in chambers, or scribbling in Grub street for a dinner. How is it, these persons say, that while we hear and see such repeated proofs of the various professions at home having more members than they can feed, we do not find a much larger proportion of young men willing and eager to come to India? Whence the loud cry for bread on the one side, and the few hands stretched out to take it when offered on the other? For it is indisputable, that men are coming up by tens and twenties, and not by hundreds, for the civil service, and that the attraction of novelty having worn away, the competition, if it ever was such, is now no longer either "liberal or large." We think that we can explain some of this apparent inconsistency. The cry of overstocked professions, and of the weight that presses on unaided merit, is raised by men who have *tried* one particular line of life and have failed. Such men have first tasted with eagerness the sweets of learning; they have, with keen relish, enjoyed intellectual society and animating competition at either University; they have then, after entering on real life, gradually experienced the bitter conviction that a combination of many things, of merit, of fortune, of chance, of patronage, is indispensable to success, and after a few years of unrequited toil, they have at last settled down to the belief that India had, perhaps, better things for them than had been dreamt of in their philosophy. Ask such men at the age of thirty if they would proceed to India, and they would answer in the affirmative. Ask them at twenty-one, and they would have returned a defiant negative. But this is not the case only under the "open system;" it was sometimes the case in the old close, snug, comfortable, system of patronage. We could point to several instances, where it needed all the entreaties of friends, all the repeated offers of directors, or all the stern commands of fathers with many children still unprovided for, to make a young man of hope and energy turn his back on England, forego his visions of eminence at the bar or utility at the university, and commence an oriental training for a new life. If force was necessary to make some men swallow the good things of life when put straight before them, it may take something more than a mere vague and general invitation to get other men to give up early associations, valued friends, and fair prospects, perhaps undefined, but still long cherished, for hard work in India. The Lotus of India is not like the Lotus which

Homer's eaters devoured, to become oblivious of friends and every thing else in life. Yet it must be universally acknowledged that we want for India, young, educated, and *untried* men,—men who have not yet taken root, as it were, in England, men of early successes and unclouded promise, and not men, past thirty, discontented and restless, with only the experience of failure, and the bitter feeling engendered by protracted justice, and by the hope delayed which makes the heart sick.

We hold the failure of candidates to come up in any numbers to be proved beyond question ; and the explanation of such a failure we take to be the fact, that, after all, India is neither so certain a good thing, nor so attractive to young men of boldness and ability, as to counterbalance all the inconveniences and disadvantages of a residence there. Nor has the conduct of the President of the Board of Control, of late, lent enchantment to the distant view of the East. Whatever may be said of the condition of the finances of the empire, or of the necessity for reductions, or of the high average of salaries, there is not a word to be said in favour of the policy of making a stir on the subject, just at the moment when a new experiment is on its trial. After the grand and swelling professions of patronage and rich places thrown open to the deserving, comes a cool announcement, that the rich places are to be stripped of all that renders them worth having. Mr. Vernon Smith's conduct is precisely that of a fisherman who one day casts in ground bait, on the most approved Waltonian system, to attract all the roach, dace and gudgeon in any fair river, and the next day, lets a huge pike loose on the same spot to scare them all away. Men naturally reason that, if the salaries are to be reduced, just after the establishment of a new system made with a flourish of trumpets, there is no certainty against a further reduction, ten or fifteen years hence, at the caprice of any minister, who wishes to gain a little popularity, or to answer troublesome questions put in the house by men who know only a little more about India than the minister himself. It is within our knowledge that, a short time ago, a candidate presented himself at the examination, obtained the appointment desired, made some further enquiries relative to his prospects, and then—quietly threw them up. One such defection will probably hinder a dozen vacillating men from coming up at all. Englishmen, we have been arguing, are defective in Indian knowledge, but they are sufficiently well-informed to calculate the chances of such a change of habit and life, as is involved in an Indian profession. There is the undoubted heat, even though we may acquiesce in the opinion expressed by the Family circle in David Copperfield, that India is now much changed, and has nothing to create alarm beyond a tiger or two, and a little

warmth in the middle of the day. There is the long estrangement. There are the chances of sickness or premature death. There is the novelty, which is not always attractive, and the change which frequently disgusts. There are these unpleasant rumours of such a decrease in the emoluments of office, as will leave little beyond a bare independence. And lastly, there is the certainty that, the toil over, the Indian career finished, and the retirement won, there is little or no employment for a man *donatus rude*, in England.

This may be, like other things, the fault of "the system." It may arise partly from the neglect of Indians themselves. But, whether the blame lie with the system or with individuals, the fact remains the same. There is a great difference, too, between an Indian revisiting England for temporary purposes, for the refreshment of mind and body, and the same person settling down for good there, in country or in town. Putting out of the question a few grumblers, most men, at home on leave, are men enjoying the holiday which they have fairly earned. Whatever be their pursuits, be the object philanthropy or amusement, works of art, continental cities, the moors of Scotland, or the glaciers of Switzerland, they manifest a zest and relish of enjoyment which even statesmen after the close of the session, or barristers in the long vacation, do not always evince. It is not unlikely, either, that men who have been for a long time accustomed to discussion, to action, and to the charge of important interests, will find themselves not so very far behind hand in most of the questions of the day. In practical remedies, and in calling things by their right names, in grappling with difficulties openly, they will display a firmness, not to say an audacity, at which many Englishmen will be staggered. Two or three years may be pleasantly spent in locomotion, in sight-seeing, in general enquiry. Every man will, of course, have his own particular experiences to relate, his own circle to enlighten, his own game to follow. One, retaining a hateful recollection of all that is grotesque and repulsive in Hindu sculpture and superstition, barely attracted by the elaborate details of Hindu architecture, and positively unjust to the pointed arch, or the graceful minaret of a race elevated above idol worship, seeks the cities and the churches of Italy, and there, for the first time, learns with rapture, what forms of beauty or manliness can be crowded on bare walls; what magic combinations of shade and colour can be produced on canvass; what additional lustre can be given to spires and domes, in themselves unrivalled, by the unclouded sunshine, and by the pure atmosphere; how creations, seemingly "too fair to worship, and too divine to love," have been left, to the despair of posterity, by men under whose chisel the stone seems to breathe and struggle,

and the brass to speak. There is an education, to be either completed or commenced, in a visit to the land where the beauties of nature are rivalled or exceeded by the creations of art. Another exile continues, during emancipation, his enquiries into the condition of the people, or the effect of legislation, studies the discipline of prisons, tastes the soup of workhouses, by which paupers are supported, and examines the process by which the correspondence of a mighty metropolis is circulated with precision and rapidity, dives into the purlieus of great cities, and becomes familiar with wild haunts of misery and scenes of degradation, which even his imagination had never depicted; and in his varied enquiries, learns with some wonder, that there is no law in England, under which the rich man can purchase by money, release from the wholesome labour, which a sentence of imprisonment imposes on his poorer accomplice;—that there are still places where letters are conveyed by a mail cart between two towns now connected by railway;—that there are country churches where drowsy clergymen, and more drowsy audiences, waken themselves by the *old* version of the psalms;—that there are counties in England where the tenant of one estate is not allowed, under prescription which has the force of law, to work for one single day or hour, on the estate of another landlord, without the express permission of his own master, or of his local agent, demanded and received;—that some of the streets in the most fashionable and frequented parts of London are in as bad repair as a brick-laid road under the defunct Military Board;—and that the spectacle of country justices in Kent or Essex, sitting in a quorum over some old women brought up for gathering a few sticks, or haymakers absenting themselves for half a day to witness a review of yeomanry cavalry, is not calculated to enhance his respect and admiration for the *Mofussil Law* of Great Britain. Such a man, it is possible, may recall these and other little facts, whenever unfavourable comparisons are made between the tardy reforms of one country, and the full blown civilisation of the other. It is possible, too, that for an ardent and philanthropic individual, the old world may not be a sufficient field. Men on furlough have visited those thirty independent States, which display men at almost every stage of advancement, except the best and highest; and such visitors have learnt something of that fearful problem of slavery, which has puzzled the clearest intellects, and which is hardly to be solved by inflammatory novels, or by passionate appeals. A third individual returns with pardonable enthusiasm to the national fieldsports. In spring, he throws twenty-five yards of line over a clear-running Scotch river, rich in all the beauty which characterises the northern counties of our island: at a later period of the year, his step

and aim are not the least firm and true of the many active sportsmen who seek the purple heather, or the yellow stubbles ; and at a later period still, he must have his ' quick thing ' with " the Baron " or his month with the Quorn. And whatever be his particular avocation, he will scarcely fail to mark the forced struggle for advancement, the narrow incomes, the numberless obstructions, the frequent disappointments of men in active professions at home ; and while he grudges them their unbroken friendships, their family circles with no gaps other than those caused by death, their prospect of distinction, or their present utility, he may return to work with a body renovated, a mind enlarged, and with the quiet conviction, that after all, the evils of India are largely compensated by an amount of real advantage. This is, no doubt, mere fireside philosophy, but it may be made to go a great way.

But, once retired, the Indian spends a year or two in travel, in visiting his relatives, in selecting a residence and in furnishing it, in recruiting a shattered constitution at German baths, in renewing ties which had almost been parted asunder. For a time things go well. The England of 1857 is still the England of his leave or furlough, such as he looked on it twelve or fifteen years before. But after a time, when his health and faculties have been restored, the conviction comes across him, that he is a mere sojourner in the land. There are, of course, instances to the contrary. An eminent civilian attains to a seat in the Direction, by nomination or by canvass. A renowned diplomatist is offered service under the crown. A country gentleman, whose estate, sometime impoverished, had been nursed during his exile, and freed from encumbrances, finds sufficient employment in looking after his tenants, and shows himself, to the amazement of sporting squires, a good shot and an intelligent chairman of Quarter Sessions. Men, not in the Civil Service, have obviously as great or greater chances of occupation. The Privy Council is open to the ex-chief-justice, and to the successful barrister. The one finds employment in pleading, and the other in deciding, cases there. There are pulpits which have long since ceased to resound with eloquence, and churches with empty benches, where the orthodox divine may again attract crowds. The immense experience of an Indian physician or surgeon will find no want of subjects for its exercise, if the love of the profession be still strong. The merchant can join the great house at Liverpool or London, of which he was correspondent branch at Calcutta or Bombay. All find that their previous experience has not shut them out from English business of some kind. But what, with a few exceptions, has the civilian left for him to try ? He may not be willing to undergo the worry of a canvass for the direction : he may not

have friends to give him service under the ministry : and he may be troubled with doubts as to the propriety of accepting the offer of a smart electioneering agent, who will place a snug borough at his disposal, with only eight hundred constituents, for only the small sum of twelve hundred pounds. So with a sigh he half wishes himself back at his stifling cutcherry. But even with those men of well balanced intellects and wisely moderate desires, who are content to enjoy the society of sons and daughters, and the intercourse with old friends, as the best solace to advancing age, is there no regret at want of employment for the energies which rust from scant exercise, or on account of the varied experience which is literally locked up? We will put it to any one who has enjoyed facilities for this observation, whether he has not known many men, who have run a career in India which stopped short only of the very highest appointments, wandering about England with less of actual employment than one of their own discharged peons or bearers, or than a disbanded sepoy of the 19th, who, at worst, can return to his village in Oude, and guide the plough on the paternal acres? It is, we say, a sight unpleasant but suggestive, to see men who have ruled considerable provinces with firmness and benevolence, who have taken part in some great legal reforms carried after years of obstruction, who have linked their names to social measures, the end of which no man can foresee, and who have sound habits of business, admirable temper, and some knowledge of mankind, making hay in the country, or drearily hanging about the precincts of the Oriental Club. To the order "do something," they may naturally reply that they can literally find nothing to do. It is too late to enter any liberal profession. Not one man in a thousand feels himself called on to take holy orders. Very few have either the capital, the connection, or the knowledge, which would make commerce pay. The functions of the civil service in England are widely different from those of India, and in numerous instances are mere dull formalities. The roads to the best places are already beset. Of course, as we said before, there are exceptions to the rule that Indians find it hard to get employment. An ex-member of Council at one of the minor presidencies is pounced on by the ministry, and sent to govern one of their colonies. A member of the Supreme Council becomes Secretary to the Law Commission. To settle a disputed boundary on a disturbed frontier, with a set of savages eager for plunder on the one hand, and a population irritated by losses and thirsting for revenge on the other, the Government at home are but too eager to avail themselves of the services of a man of great activity, of chivalrous feeling, of fascinating manners, of rare tact, and of proved skill in dealing with wild and uncivilized

tribes. A civilian with an intense love for facts, and a capacity for settling accounts, aided, no doubt, by the influence of an eminent writer, takes his place at the treasury. One of the best judges that ever sat in the Sudder Court does not think it below his dignity to accept a subordinate situation in the India House, which gives him the advantage of moderate employment, and the prospect of being useful. It was fortune, as well as merit, that placed the above men where they were. And the last example is a proof of our argument, that it is no easy matter for retired Indians to find some work to do. For it is not every one that will condescend to do the duties of head-clerk, or of examiner of correspondence; nor is it always that an "outsider" can be brought into a crowded office over the heads of men who have been gradually toiling up the ladder from the limited emolument of two or three hundred a year. There remains, then, little to be done, unless a retired official man should set about getting a seat in Parliament, or writing a book. Now, as to literary fame, it is obvious that, for success in this line, other powers are required besides those which lead to official distinction. There must be abundant materials, considerable discrimination, tact in selection, and something of style. Yet we have often thought that, from amongst the numerous men of all ranks and services who retire after thirty years residence, we might fairly look for some contributions to the stock of Indian knowledge. We are tired of books that profess to give accounts of the "manners and customs" of India, written by men who have resided for a few years or months in one corner of a Presidency, and of travels published solely because so many miles of country had been travelled over, and so many remarkable cities and places had been hurriedly visited. These crude productions, made up of facts mis-stated, of pointless observations, of censures misapplied, and of a few stale anecdotes, current in every Indian circle for years, but put forth as new and original, do but contribute to swell the history of Indian error. Now, if every man, who has resided any time in the interior, would collect scattered information, would note down every remarkable incident of native character, as developed in the Court-house, the Mission, the Factory, or the Bazaar, would fill a common-place-book with any details, of climate, of caste, of agricultural operations, of the habits of the servants and officials that come directly under his own observation, and would put them all together, with only a moderate acquaintance with the art of book-making, we think that, in a few years, a series of works might be produced, which would give to the public a mass of valuable and trustworthy information regarding different parts of this empire. Many a person who, after leaving India, lacks employ-

ment, must have copious details and anecdotes which will die with him, but which, after a little winnowing, could be made public to save others the trouble of going over the same ground. Many a man, in addition to the mass of knowledge collected by intercourse and observation, must also have traversed many parts of the presidencies, and visited the tombs and mosques, the minarets and mountains, the falls, and the passes, the thronged cities, and the regal edifices, which alone constitute India to Englishmen, and without which an Indian book would be thought incomplete. Here, there is one opportunity of which retired Indians might avail themselves. Almost every man, it has been said, can write one book in his life time.

We turn to the other avenue or opening for men of talent and energy, the House of Commons. Many causes, as we have already hinted, combine to render the senate accessible only to few; one man cannot bear a residence in London; another hates the excitement of a political canvass. Those who have money do not like to spend it in elections; and others again have no money to spend. Again, all men come home late in life, with little knowledge of Parliamentary tactics, with no ties to bind them to any political party, and with no experience in public speaking. Men do not talk on their legs in India; they write at desks, and write, as we all know, a great deal too much. Yet there is no question that many of those writers found it once as difficult to write, as they might still do to speak; and since the opening of the legislative council, an arena for speaking in public has at length been found. Nay, the success of some men in that new arena is undisputed. Lord Dalhousie, we know, expressed surprise and admiration at the straightforward, clear, and practical speaking of Mr. Mills. No man doubts Mr. J. P. Grant's powers as a debater, or can listen without pleasure to his lucid statements, humorous antitheses, and, when occasion requires it, eloquence of a grave and judicial kind. Mr. Colvin can address a public body with animation, and can make the very most of an after-dinner speech. And Mr. Halliday's readiness in conference, and command of language, are beyond all question. That such men, after a little watching of the forms and temper of the house, should not succeed in gaining its ear on Indian or colonial subjects, or on such social questions as they might turn their attention to, is what we are unwilling to admit, until a trial has resulted in failure. Every man, it has been well said by one who can both speak and write, is an orator, whose head is full of facts, and whose heart is warmed with his subject. To a clear exposition, delivered with honesty of purpose and some energy of manner, the "most fastidious assembly in the world" will always lend a

willing ear. The members admire oratory, relish pungent sarcasm and retort, detest a grievance-monger, and will not endure a bore. But a man of earnestness and of information will be listened to with respect, whatever his political creed, or age, or service, or address.

But it is our opinion that, whether from want of unity, or from a vague fear of breaking down in public, or from other causes, Indians have not done their duty in sending men to Parliament to represent India there, and have never taken any decided steps to make known the real wants of the country, and the positive difficulties which beset any Indian administrator. A pamphlet or two may have been written at a crisis, such as the last charter. But generally speaking, Indians act as if their interest in India had ceased with their service. They will pity the ignorance, they will ridicule the malevolence, by which an attack on the government is directed in the House or by the Press. But they will not stir a finger nor spend a shilling to supply the press or the *Reviews* with correct information, or Parliament with members who really know of what they are talking. What we mean is this, that while every other corporate body has some organ to support its views, or some prominent individuals to argue for its interest, India is abandoned to the merest chance. What we wish to see is an Indian Association, not of foolish or dreamy reformers, but of men of sense and practical views. And we think that such an association, comprising the experience of several classes, supported by adequate funds to be devoted to necessary ends, would be the one antidote to the absurd calumnies, propagated with recklessness increasing steadily with the deficiency of knowledge. The association would mainly consist of men, never likely to return again to India, and not therefore actuated by any selfish views. The avowed object of such a society would be to expose ignorance, to annihilate error, and boldly, and *at once*, to disprove a false statement regarding any act of Indian administrators anywhere. It is impossible that presumption and folly could stand for a moment against the quiet influence of truth. There is strength, too, in numbers. A single writer may be anxious to refute a mis-statement, and yet be literally unable to get a hearing through any one public organ in England. We have reason to know that the door may be coolly shut to individuals who, at inconvenient season, are troublesome on behalf of truth. But it is next to impossible, that a body backed by weight, and if necessary, ready to incur expenditure, should not make itself heard and seen. Nor do we see why such a body should not undertake to pay the legitimate expenses of returning to Parliament, such men of Indian experience, as are unable to stand the

cost of an election, and whose support it is worth while to obtain. We have no desire, either, that such an association should be limited to retired officials. It should comprehend all men who, as administrators, pure philanthropists, active speculators, or holders of railway shares, are anxious for reforms, compatible with our position in India. We do not think it a very hard task for men of various experience, if they have common sense, to work together. We have known of cases, where even Mr. Malcolm Lewin and the chairman of the Court of Directors were suddenly found to be not so very far apart—and the most earnest remonstrance against reduction of civil salaries that we have yet heard, came from a gentleman, who had been engaged for years in agricultural or commercial speculations in the interior of Bengal, who knew the quicksands and shoals of litigation in almost every court in a large district, who has had dealings with functionaries, native and European, of every grade, and who had never drawn a farthing from the Indian treasury in his life.

Anything, we repeat, is better than inactivity. Let us see such an Association, a dozen pamphlets, some articles in a powerful paper, a few meetings, even a couple of men returned to Parliament, anything, in short, to show a sign of vitality, or a unity of purpose on the part of well-wishers to India. But it is really not fair for men whose active interest in India ceases when they have left the country, to complain of a want of interest in men who have never been there at all, or to cry out that a lost battle in the House of Commons nearly imperilled the safety of the empire, when the battle was lost, like so many others, from sheer want of timely support.

The subject of missions in England was somewhat too serious to be comprised in the preceding article,—but we cannot lay down our pen, without a few words on this point. The ideas of Englishmen on missions in India are vague and ill-defined, like their ideas on Indian revenue, finance, or justice. Yet it is not a difficult matter to get two or three hundred people to listen for a couple of hours on the social status of Hindu men and women, and native Christians, and on the education afforded in the numerous institutions, public and private, of the three presidencies; and considering the intimate connection between the secular life and literature of Hindus, and their sacred literature and religious observances, it is comparatively easy to mingle in an address on missions, such anecdotes of, or remarks on, the natives, as may enliven the discourse, and vary the regular stereotyped enumeration of so many converts added, or so many new mission-houses built. There are many delusions, too, under

which sincere and earnest English gentlemen and ladies are labouring, and from which they require to be sharply aroused. There is a general idea, that India is amply provided with missionaries ; and it is to refute this error, that Mr. Macleod Wylie's work may be circulated and perused with much advantage. Then, people imagine, that the talents and qualifications of a missionary at Raritongo are sure to make him succeed at Benares or Delhi. Little do they know what a scope for talent exists in discussion with the subtle intellects of the Hindu, or in counteracting the intolerant bigotry of the Mohammedan : how the gift of tongues, the knowledge of human nature, the wide sympathy, the winning address, the solid learning, all may be gracefully made the hand-maidens of fervent zeal and piety, in enlightening and reforming a people who are fond of complacently looking back on the departed glories of their civilisation, literature and law. Still less do Englishmen know of the varied channels into which missionary enterprise is directed,—the education of the young, the constant discussion, the preparation of works in every conceivable dialect of the Indian peninsula, and the tours in tents and boat in the cold season. On these subjects, the smallness of missions, the immense tracts still unprovided for, the varied and often harassing duties of a missionary, his exposure to climate, and his trials of all sorts—the English mind wants a good rousing. Above all, Englishmen should be asked to recognise the great fact, that India is ours, and ours alone. We may do well to send a chosen band to countries where we have not an acre of ground, and scarcely any political or commercial relations—but we are ten times bound to give an adequate supply of labour for India—for there the field is all our own. This support must not come from the government, but from the nation. The extension of missions, and a true appreciation of their wants and schemes, in a country where we are the rulers, should be not a *bureaucratic*, but a national end.

ART. V.—1. *Parliamentary Papers from 1776.*

2. *Selections from the Records of the Government of India, and the Governments of Bengal, Madras, Bombay, the North West Provinces, and the Punjab.*
3. *Reports of Administration of the Government of India, and the Subordinate Governments, (1857.)*
4. *Reports of External Commerce ; Bengal, Madras, Bombay and Straits Settlements.*
5. *Bell's Review of External Commerce of Bengal, 1830.*
6. *Bell's, Wilkinson's, and Bonnaud's Annual Views (or Commercial Annals), 1833 to 1856.*
7. *Mackay's Western India.*
8. *Journal of the Agricultural Society of Bengal.*
9. *Royle on the Cultivation of Cotton in India ; and on the Fibrous Plants of India.*
10. *Colonel Baird Smith's Reports on the Cauvery, Kistnah and Godavery.*
11. *Colonel Cotton on Public Works in India.*

IF we could conceive a wise and benevolent stranger visiting this earth, and with comprehensive faculties surveying and considering the position and the relations of its various wide dominions, we might suppose him chiefly engaged with that small Island whose authority reaches from the rising to the setting sun, and from which radiates universally the influence of freedom, of commerce, and of Christian Missions. And in all her history and all her present power, one thing, above all, would command his attention. He would see her as the mistress of India : of India in all the vastness of wealth and population,—of India as her conquered but neglected empire : India, her glory and her shame.

It would not be difficult to show that all our colonies, however poor and however distant, have received more favor and more attention than India. From every colony settlers have returned to advocate its special interest ; for every colony a constitution

N. B.—It will be readily perceived that this paper was written before the out-break of the present extraordinary insurrection. As the writer believes that, with God's blessing, the results of this wild movement will be the firmer establishment of British Supremacy, and immense advantages to India from the increased attention of England to her Government, he leaves the article as it was written, to exhibit the position we occupied a short time ago, and to point to the prospect which again will speedily lie before us.

has been provided, animated by the spirit of British laws. Wisely or unwisely, the old favorite motto, "ships, colonies and commerce," led for a long series of years to protecting laws, discriminating duties, and lavish fostering grants of public money; and the colonies, again and again, and year after year, were forced on public attention by violent party conflicts, till at length their management became the test of statesmanship. But it has been the custom, ordinarily, to notice India once only in twenty years. Then a "Charter" was discussed and granted, and the liberty of further discussion was handed over to an unnoticed Court of Proprietors, and the functions of government, with the patronage of the empire, were transferred to a Court of Directors. If Europeans came to India, they usually came out under the auspices of that body, and quitted the country identified in interest, in sympathy, and in prejudice with their patrons. Evidence was indeed taken, as the end of each twenty years approached; but nearly all who were examined viewed matters from the same stand-point, and spoke of peace, happiness and prosperity. And thus Charters were renewed, and India was left again to a delegated authority;—the conscience of the state cleared by the transfer of responsibility; and till the next time for renewal came, the favored Company might safely trust to party conflicts on other matters, to distract attention from India.

Perhaps, in India, we sometimes thought it strange: strange that so little should be said of the condition of a hundred and seventy, or perhaps, two hundred millions of people, entrusted to the stewardship and government of Britain by Him who "made of one blood all nations." We did indeed think it right that, in 1793, the Parliament of England should solemnly declare, "That it is the peculiar and bounden duty of the Legislature to promote, by all just and prudent means, the interests and happiness of the inhabitants of the British dominions in India, and that, for these ends, such measures ought to be adopted as may gradually lead to their advancement in useful knowledge, and to their religious and moral improvement." But we may be excused if some of us have thought it strange that, while there have been some enquiries as to the functions of the various departments of Government, as to the Revenue, the Debt, the Army, the constitution of the Court of Directors, and the like, so very little care has been taken to ascertain what has been done in these last sixty-four years to promote those interests, and that happiness, which were apparently so much a matter of concern to the illustrious men who formerly adorned the House of Commons. And, if we descend to details, we may possibly find still greater reason for surprise. If for instance, the sugar duties were discussed, with the prospect of the supply

of sugar to Europe and America becoming one of the most important of all commercial subjects, we might very reasonably have expected the claims and resources of Brazil and Cuba to be balanced against those of the British West Indian Colonies, and that the debates should be warm on the respective merits of free-labour and slave-labour sugar, with all the correlative topics of protection and free trade: but we might also reasonably have looked for an adequate apprehension of the most weighty element in the whole case—the claims, namely, of India, with a population vastly greater than that of all South America and the West Indies taken together, with resources to which neither Brazil nor Cuba can offer any comparison, and with unmeasured capabilities and facilities of extended commerce. In like manner with other subjects. A Law Commission was issued in 1833; for the Board of Control of that day, and the Committee of Enquiry, which had enquired into Indian affairs in Parliament, consisted of very able and far-seeing men. After its appointment other influences intervened, and illegal orders were sent out to the Supreme Council of India, not to pass into laws any of the measures prepared for its adoption, and that Commission was then suffered to terminate and expire. We might well then be surprised that these facts should be unnoticed at home, and that the British Legislature, when at length, in 1852, it discovered that it had thus been defeated, should be then contented, tamely, and without censure of any one, to begin again to try to secure some of the same judicial reforms, of which the necessity was admitted twenty years before, but which ever since had been utterly neglected. And so as to trade. England began to rouse herself to a new system of trade, and a new style of enterprise, full thirty years ago: since that time, step by step, she has advanced, projecting railroads; plying steamers to distant lands; in Canada, in Australia, and New Zealand, pursuing colonization with unexampled ardour and success; wonderfully enlarging her manufacturing power; encountering improvidence by new poor laws; remodelling her whole fiscal system; and spreading education and religious knowledge among the people. India might be safely supposed to be contemporaneously advancing too; and indeed her superiority to any colony in prosperity, and in the nature and in the beneficence of her Government, was usually a matter of boast. It was said that there were expensive and noble public works, and that there were large cash balances in the various treasuries; and there were members in the House of Commons to rebuke any suspicions or doubts of the paternal influence of the British Government, or of the contentment of the population. We, who lived here, might be surprised at this, if we knew of there being only one road worth the name in Bengal; if we had

reason to believe the stories about torture, which were denied at home; if we knew that, except in the case of the Ganges Canal and the works in the Punjab, the extensive public works prior to 1854, were simply repairs of jails, court houses, and public offices; if we suspected that the large balances declared to be in the hands of the Government were unsubstantial; if we knew that money, which was wanted in India, was kept at home, to an extent far beyond any probable (we might perhaps say, possible) wants of the Home Authorities; and if we looked round in vain for an energy, earnestness, and public spirit, corresponding with that which was rapidly elevating our native land.

But, further, we now think it strange that, when in 1852, after a lapse of twenty years, the enquiry into Indian affairs was renewed, it was conducted in such an inferior and perfunctory manner, and that conclusions were reached on imperfect information, obtained almost entirely from official and one-sided witnesses, without any enquiry in India, and without any evidence from natives of the country. We are surprised that, when twenty years had expired, there was not some careful investigation and comparison instituted, to exhibit the expectations excited in 1832, the plans then formed, and the subsequent results. For we believe that there is really room for doubt on many points which appear to be commonly taken for granted. We in Bengal, and our fellow subjects in Madras, know well that all is *not* peace, contentment and prosperity. We are cognizant of notorious evils of great and momentous importance—evils long recognized but unremoved. We know how the work of education was extolled, when, in fact, it reached only a few thousands of the upper classes, pampered them with an effeminate feast of trifling literature, and turned them into a race of selfish, noisy, disaffected infidels. We know that poverty, like an armed man, has been stealing over the fertile territory, alike of Madras and Bengal; we know here of Rent-laws and Sale-laws, which probably constitute the most oppressive fiscal laws in the statute book of any nation; we know of unprotected tenures, and of cultivators *en masse* in the power of landlords who, without restraint, can tax them at their pleasure, and who, by law, are authorized to ‘compel their attendance.’ We know of this oppressive system, and of the energies of the people wasting under it; and we know that between 1824 and 1852 no attempt had been made to relieve the evil. We believe that the cultivators have been sinking lower in temporal circumstances and in mental depression. We know that Bengal was practically ungoverned; and we might well think it strange that the proposition to give it a separate governor should be opposed by the Court of Directors, on the narrow ground of its effect on the patronage of the Governor General. We know, too, that

while Public Works, and in particular, Railways, were proposed in 1830, nothing was done till 1850, after Lord Dalhousie had fairly grappled with the subject, and that it will probably be 1862—thirty years from 1832,—before we have the trunk line complete to Delhi. We know, as to Calcutta, the great reservoir of Indian trade, that it had, and has still, only one inadequate canal for the access of all its hundreds of thousands of tons of inland produce. We know that great parts of the country in that year 1852, were as little known and were as little accessible as the island of Ceylon. We heard of no effective and large-hearted measures to improve the condition of the people; all was as cold and slow as the seniority system. Lord Dalhousie, with a mind capable of effecting great things, was (like all who have been Governors General) absorbed by the general interests of the State; and could not give himself to the details of this Presidency. On him pressed the burden of two wars, the settlement and pacification of the Punjab, the annexation of Nagpore, Pegu, and Oude, the Railways, the Postal system, the Electric Telegraph, our relations with the Nizam; and our Finances. We were out of the scope of imperial policy, and the Parliament and people of England left us thus unregarded and neglected, in a course of moral and social deterioration, in the bitterness of suffering and wrong.

We speak the words, not of passion, but of truth and soberness. Is it a light thing that a great and populous country should have an ineffective and oppressive police, and an administration of justice which is admitted to be little better than a mockery and a lottery; that landlords have usurped jurisdiction and arbitrary power in tribunals of their own; and that such venality and perjury are engendered throughout the country by the regular courts, as would suffice in a few years to corrupt the noblest people on earth? Is it a light matter, that these things should go on unchecked, unimproved, year after year, decade after decade, and that all reform should be made subservient to the maintenance of monopoly, of patronage, and the perpetuation of a system of which exclusiveness is the root and fruit? And may not the voice of sympathy and compassion for suffering thousands, be uttered in these circumstances, without the imputation of passion? We have here in India a record to look back upon, which should rather shame into silence, those who, in England and India, have had the responsibility of the government. It is needless to dwell on the dark early history of notorious and unscrupulous corruption. The House of Commons did its duty then, in exposure—and such an exposure it was, as probably could not be exceeded, if there had been a commission of enquiry into the gains of Turkish Pachas. But more orderly times succeeded. Then Lord Wellesley came to India,

and such was the tone of public sentiment, that Dr. Buchanan had to inform him, that up to that time, there had never been divine service at Barrackpore or at any other station. Then soon followed the days of opposition to Christian Missions, and to the Resolution passed by the House of Commons in 1793. Carey and his companions were warned to leave the country: Judson and his associates were banished from India. By the pilgrim tax; by the grants to heathen temples; by the superintendence of Hindu Trusts, (pronounced to be "endowments for pious and beneficial purposes") Hinduism was propped up at a time when there is good reason to believe that it was languishing. In seasons of drought the aid of the Brahmans was sought, (even not long ago,) to pray for rain; there was public worship, at the expense of government, to seek a profit on the trade in salt and opium; in the work of education the government taught the religious and philosophical errors of Hinduism and Mahommedanism. Trade was hampered by the obstinate retention of internal Transit-duties. The Government insisted on maintaining its losing trade with India and its losing trade with China, paying the losses into the hands of ship-owning proprietors at home out of the revenues of India. There were obstacles to the settlement of Europeans in India; objections to suppression of Sati; protests against the freedom of the press. There were many years with great vigilance in exacting the land tax, and no single measure of enlarged benevolence. Old Indians became types, in works of fiction, and on the public stage, of prejudice, selfishness and folly.

We ask in vain, why India was thus neglected by the English nation? Let it be observed that there was every thing to encourage interference. There has oftentimes been an outcry against this or that proposition made in the British Parliament; but it is important to remember, that it is extremely difficult to mention a single case in which the interference of the British Legislature has not been a positive, important, and substantial benefit to India. The early efforts of Burke and Dundas to bring the government into order, and to put down corruption, as well as the previous establishment of the Supreme Court, may have been made (were indeed necessarily based) on imperfect information; but no one pretends that they were not great and useful reforms. Even the impeachment of Hastings had its legitimate basis, and was fully as much a debt due to justice as was his subsequent acquittal. The spirit of the enquiry and of the charter in 1793, is best illustrated by the resolution already quoted. Then in 1813, the trade with India was thrown open, the impulse was given to education, and the barriers to missionary efforts were removed. In 1833, the Agra Presidency was established, the Supreme Council

received legislative powers, the Law Commission was issued, the China trade was thrown open, and the offices of government in India were opened to the people. In 1853, the Legislative Council (as the first instalment of representative Government) was established, yearly reports of administration were required from each Presidency, the new system of education was established, public works were taken up in earnest, and above all, (as the certain root of extensive and incalculable improvement in the future spirit of the government) the Civil Service was opened to public competition. And now, if we are looking for a real reform of the judicial system, we owe it to the Law Commission appointed by the Crown in 1853 to give effect to the reports of the Law Commission of 1833, and to the discussions in Parliament which have impelled the Home Government to insist on the new Code of Procedure being embodied in a law.

In other matters, Home influence has been equally important and powerful. It was by home influence, that Lord Glenelg's dispatch was obtained, ordering the severance of the connection of Government with idolatry. Recently it was home influence which urged the attention of Government to the subject of torture; and it is home influence which has tended most to regulate and stimulate the Government of India in all that it has attempted to develop the resources of the country.

It is to this home influence, the power of English public opinion, and the authority of the British Legislature, that we look now for further changes; and without this influence, we have little hope of speedy or satisfactory reforms. For, past delays have not arisen from uncertainty as to the principal measures required. So far back as 1832 we find Mr. Holt Mackenzie thus stating his views in reply to questions from the Board of Control, and those views reported to the House of Commons.

"Looking forward to no very distant time in the history of a nation, we might, I think, increase the wealth of the country, or secure a better distribution of it, and consequently raise more revenue, if wanted, by all or some of the following measures. By a settlement of the amount to be paid by the owners of the land, for a long term of years, the assessment being so adjusted as to leave them a valuable property in the surplus rent beyond the Government demand, and *with a survey and record, such as to remove all doubt with regard to the subject matter of the settlement; by encouraging the settlement of Europeans, and the children of Europeans, and the application of their energy, skill, and capital to agriculture; by educating the natives to European knowledge and habits; by admitting natives to a larger share in the advantages of office; by constant, but gradually urged efforts to give a more popular character to the administration of the country; by a liberal, but economical, and strictly watched expendi-*

ture in facilitating internal intercourse; by removing all artificial impediments to the extension of trade in India, or between England and India; by abolishing the usury law in India, and providing generally a good system of mercantile law, and courts to administer it promptly and cheaply."

So again :—

"The salaries of officers to be regulated by the work to be done, without reference to individuals or classes employed, further than is necessary, with the view of having good work, including in the term, as respects civil government, the maintenance and security of the sovereignty of England; the consequent employment of native agency more and more extensively, with liberal, though (to Europeans comparatively) moderate allowances; the restriction of high-paid European functionaries (I include all judges, magistrates, and collectors of districts) to matters necessarily requiring their interference; *the full recognition of the absurdity of attempting to administer the affairs of a million of civilized men by the direct agency of one or two individuals, and those foreigners*; and the practical application of the principle that we cannot really have a civil government, excepting through the co-operation of the people; the gradual exclusion of servants temporarily deputed from England, from all functions not necessarily confided to them with the view of maintaining the sovereignty of England; the more general employment of individuals in place of collective bodies; the immediate exemption of the local governments, especially the Supreme Government, from responsibility for matters of detail which they cannot usefully, and do not actually administer; the clear definition of the responsibilities actually belonging to all classes of public functionaries; the appointment of a Governor General and Council for all India, with powers and duties so defined as to make him such in reality, not in name; the union of the armies of the three Presidencies under one head; the transfer of the whole to the crown; the substitution of a part of the royal navy for the Bombay marine or the Indian navy; the better regulation of the supply of stores required by the Indian Governments; a stricter check upon expenditure in public works; the better definition of the powers of Direction as distinguished from those of Control; the exclusion of the controlling authorities from all patronage, direct or indirect.

"I should suppose it likely that the purposes of economy would be promoted by the employment of the ordnance and other national establishments, in all business connected with the Indian army, which has to be done in England in their several departments. The island of Ceylon ought, I should think, to be part of the Indian Government; St. Helena should be a national concern; and of course the revenues, taken from the people of India in virtue of our national sovereignty, should be regarded as belonging to the public purse of England, so that every saving in our territorial charges may be considered a national saving; and every waste of our territorial resources, a waste of public money."

JUNE, 1857.

Σ Σ

Let these words be weighed; let the evidence on steam navigation, and on railways, be considered; let the appointment of the law commission be borne in mind, and then let it be considered what was the prospect in 1833, and what, in contrast, was actually accomplished by 1853. Mr. Mackenzie's plans had nothing in them speculative, impracticable, or disturbing to the position of the East India Company. They simply embraced, together with the maintenance of the Court of Directors and its patronage, the advancement of the people in their social and material interests, and the simplification of the plan of local government. He wanted a fair apportionment of salary to labour; the abolition, as far as possible, of civil and social disabilities; the employment of an adequate number of public servants; the separation of distinct functions; the clear definition of responsibility; cheap courts of justice; public works; and a series of other measures which have only been partially conceded up to the present time, or remain altogether still in prospect. On this point we have the remarkable evidence of the petition presented in 1853, from the British and other Christian inhabitants of Calcutta and other parts of Bengal. They say:—

“Although the Government was furnished by the Charter Act (of 1833) with new powers and machinery to effect what then appeared, and whatever in future might appear, desirable, many of the intentions of Parliament remain neglected: thus, for example, no means have been taken to form for India, a properly qualified body of judges, or to open the judicial service to qualified persons, though the want was demonstrated by a large body of evidence before Committees of the Houses of Parliament. The criminal laws of the East India Company's Courts, in their application to natives, were condemned, fifteen years ago, by the Indian Law Commission, which was appointed under a direction of the Charter Act, to inquire into the state of the laws; but the criminal laws remain for the most part unchanged. In a spirit generally deemed as impolitic as illiberal, the Government has repeatedly proposed to bring British subjects under those laws, though so declared unjust toward the natives who were accustomed to them. The want, in the East India Company's Courts, of Laws adapted to the requirements of trade and commerce, is well known; the English law could furnish an equitable commercial code, but English law is excluded from these courts, and no other rational system has been enjoined upon or adopted by them, although the Charter Act expressly directs the preparation of laws adapted to all classes of the public. The great want, in the courts of the East India Company, of a body of laws both civil and criminal, for the East Indians, to whom as Christians the native laws were not justly applicable, was specially brought under the consideration of Parliament, and the peculiar hardship of the case drew forth the sympathy of several eminent men. Practical

relief has been proposed to government by the Indian Law Commission under the name of a *Lex Loci Act*, but relief has not been given. Parliament abolished all disabilities for office or public employment by reason of race, creed, color, or origin; but distinctions are maintained in administration between previously excluded classes and privileged classes, which place the former in a state of official and social degradation. The state of the police is as bad as before the last Charter Act, and it is no protection to the people. Other instances might be mentioned: and hence your petitioners express their disappointment, and have again to bring these subjects, together with others, under the consideration of Parliament."

In writing now in 1857, four years after the existing Charter Act was under discussion, we admit *some* progress; but how little and how slow! On every side, with the progress of European enterprise, with the progress of education, with the gradual development of public works, prospects arise of increased demands on the energies of government; the hidden wealth, the undeveloped resources, the future influence of this country, open to the view, and we feel more than ever the urgent need of that vigorous administration of public affairs, that introduction of liberal principles of government, that elevation of the social condition of the people, which will enable us to meet effectually our opportunities and our duties.

There is, however, one branch of this subject to which at present we desire to direct attention. It is of the *Commerce*, and *Resources* of the country, as connected with her *Prospects*, that we have now particularly to speak. We do not separate this topic as the most important of all in existing circumstances, (highly important as it undoubtedly is,) but because it is a subject fitted to engage the special attention of a large class at home, whose attention, once gained, will be turned afterwards and necessarily to the general claims and necessities of India, and to the responsibility and duty of the British Legislature in relation to them. It is not because we deem the development of the country's physical resources more important than the due Administration of Justice, the Education of the people, or Christian Missions, or more important than the relation of the Government of India to the Native states, that we now bring it prominently forward; but because we know the energy, the influence, and the intelligence of that commercial and manufacturing class in England, whose attention we wish to gain; and because we know that their zeal and public spirit will carry them onward to a general consideration of all the wants of India, if once they fairly become interested in her resources. At present it is not to be denied, that the case is not understood, in this respect, or in any other. It is common to hear members of the House of Commons com-

plain of their inability to deal with Indian subjects, from conscious ignorance of her social and political condition. They have been accustomed to such confidence of assertion, and such apparently triumphant explanations of every difficulty, and then, afterwards, have been so surprised by speedy acknowledgments, made unblushingly, of the very defects which were denied before, that they have become doubtful of every thing—doubtful most of all, of those who, longest and most confidently, have defended the administration of public affairs in India as replete with proofs of consummate wisdom and wonderful success. Many men, both members of the imperial legislature and others, with earnest desires to do justice to this country, have felt compelled to suspend their judgments, and have not ventured to adopt any decided course, though impatient of the existing system, and apprehensive that more complete information would only strengthen their objections to it. In addressing this class of minds now,—men desirous to do full justice to India, men whose consciences dictate to them the duty of investigating her condition, we select the present topic, in the knowledge that the tedious details we shall have to quote will be no obstacles to their patient and careful consideration of the whole subject. We present to them, from various scattered sources, in as summary a form as possible, the facts we have collected, not as exhausting the evidence which could be adduced, but as indicating the kind of information which is accessible, and the particular branches of inquiry which will repay further investigation.

In estimating the resources of India, the first consideration is the extent of the population, not only as a test of the productive powers of the country, but also of its actual production and consumption of food. But it is extremely difficult to reach any satisfactory conclusion on this matter, beyond the fact that the population is certainly not less than one hundred and fifty millions. But the probability is that it greatly exceeds this number. When the Punjab was annexed, the population there was believed to be five or six millions; it has since been ascertained to be thirteen millions. In the North West Provinces the first census gave a return of twenty-three millions; the second census, soon after (which was more careful and complete) gave thirty. In Bengal there appears to be no case in which an estimate of the population has not been exceeded by a local census or careful calculation, except in Calcutta, where it is difficult to define the population accurately at any one moment, so fluctuating is it from day to day, and so various have been the boundaries implied in the term "Calcutta" in various statements. On the whole it may be asserted with entire confidence, that the population is likely to prove, on a complete census, if it be ever

possible to make one, nearer two hundred millions than one hundred and fifty. And all these people are fed by the country; there is no imported food, beyond the luxuries, the wines and spirits, preserves, and the like, imported chiefly for Europeans. In Bengal the food is chiefly rice, fish, fruit, peas, and vegetables. In the Upper Provinces and other parts less rice is used, and *atta*, the flour of wheat, is substituted for it. Much flesh also is used by the Mohammedans and others. The extent of cultivation for this immense multitude may be conceived. To this must be added the vast natural riches for other wants, iron fitted for many purposes; timber, from teak to the invaluable bamboo; the cotton for native cloth; the silk for native silk dresses; the dyes; the tobacco; wool; betel-nut; oil; and the countless other supplies for daily use in an empire retentive of ancient usages, and accustomed to the manufactures and the habits of life of ancient time. The native landholder, and banker, and merchant, and judicial officer, in his articles of luxury, in his ornaments, and in his dress, to a large extent, uses still the products of his country; and in his silver and gold jewellery, in his shawls, in his furniture, in his lamps, his harness, his pleasure boat, his carriage, he commonly draws almost entirely from native resources, except in the Presidency towns. The country supplies the common trades with leather; ropes; brazen and iron cooking utensils; scales and weights; paper; toys, and many other articles of daily use. There is a great and valuable supply of native drugs, and an immense consumption of native sweetmeats and confectionery; there are native spirituous liquors; and native carpets, glass-ware, guns, pistols, and swords; and the domestic cattle and horses are numerous. The wild animals tamed to use, include great numbers of elephants, buffaloes, and camels.

But it is needless to specify in detail, the products of a country with such a soil, such rivers, such varieties of climate, and such a vast population. A glance at the map will show the valley of the Ganges to be one of the most valuable, extensive and highly favored districts in the world. In that great extent of country, for a course of a thousand miles in length, and in many parts for several hundreds of miles in breadth, all nature teems with life,—fish, vegetation, cattle,—‘for the use of man.’ Affluents pour into the streams alike of the Ganges and Jumna, then joining they flow from Allahabad, five hundred miles onward to the sea, receiving at length the mighty volume of the Bhramaputra, and rushing out through a hundred mouths to the sea. But this is only one line of inland navigation. In the Punjab the Indus, the Sutlej, the Chenab, the Ravee, the Beas, course down to the Indian ocean from the depths, the hidden depths, of untrodden mountains. In Oude

the Gogra (tributary to the Ganges) ; in Western Bengal the Roopnarain, the Damoodah, the Mahanuddy ; in Central Bengal the Jellinghee, Bhaghirati, Matabangah, flowing into the Hooghly ; in Northern Bengal the Mahanuddy ; in Behar the Gunduck ; in Central India the Nerbudda ; in Madras the Godavery, the Coleroon, the Cavery, the Kistnah ; in Guzerat the Taptee—these are but some of the streams of India, which irrigate thousands of square miles. At present, we refrain from speculating on other treasures of this land—it is enough here to specify the resources which easily account for so vast a population being fed from year to year ; for such a population living on, with such few and rare and distant experiences of famine.

But another test is the external Commerce. It is by no means a conclusive test, for there may be countries (Spain for instance, or Mexico) with extraordinary natural resources, but with such political disadvantages, as almost destroy their commerce. In India, however, the external commerce will be found to afford some test, notwithstanding various difficulties and obstructions to its full development. In dealing, however, with this subject, some discrimination is required ; for the exports and imports by sea will by no means afford the only information required. We speak of India in the aggregate, as though there could be no external commerce within its limits. Yet, properly speaking, India consists of a variety of different territories ; and a large part of it, with forty-five millions of people, belongs to native states which are merely subsidiary to the British power. From them, little is exported through our territories to the sea, but much is imported into them from our territories, not only of that which has been imported by sea, but also of that which has been produced in the British dominions. There is also the external commerce over the frontier—with Burmah, the Shan States, Bootan, Nepal, Thibet, Cashmere, and Affghanistan. From the nature of the case, this trade is not large ; and the exports from India probably consist chiefly of goods imported by sea. But in the aggregate there must be a considerable traffic of an external character, of which, since the Transit-duties have been abolished, no accurate account can be given. It affords, however, a prospect of expansion ; and the time may not be distant, when it will be exceedingly valuable. We have the prospect, and should steadily keep in view the probability, of an overland trade with China. We have the power, by a wise and peaceful policy, gradually to conciliate the confidence of the bold and enterprising trader of Central Asia, who even now, amidst danger and with few facilities of access to our country, travels probably fifteen hundred miles to obtain his goods at Calcutta or Mirzapore. What the resources of his country may be, we know not ; but we

do know that on our Affghan frontier, under the Soliman range, there are valleys of exquisite beauty, and the richest fertility, peopled by a brave and independent race, who by twenty years of kindness and justice may be won to our sway, and may then become the pioneers to other lands beyond,—lands of hidden wealth and resources, which, perhaps, are kept, as the mines of California, concealed from mankind, till the exigency of man's commerce plead for their discovery. It is interesting to think of this great expanse of country all beyond India, with Russia entering from the Caspian, penetrating beyond the sea of Aral, occupying Kokan, and, far to the east, navigating the Amur; and to look forward to our vindicating the rights of the unhappy people of Cashmere, whom we sold to Golab Singh, and reclaiming that country in the name of humanity, and then advancing on, not with arms, but with the power of civilization, and the gospel of peace, onwards, it may be, to Tartary. Already a road is being made up the valley of the Sutej, north-east of Simlah to Chenec in Thibet, a lovely and salubrious spot, whence the restless foot of enterprise will soon be tempted on to other countries. We know not what means may be employed, in the wise and wonderful providence of God, for linking these further regions to our faith, but we cannot believe that all Central Asia will be a spoil and a prey for ever to Mahommedanism, and closed for ever against all improvement. It may be the discovery of silver, it may be the extension of tea cultivation, it may be the trade in borax, we know not what—but the way will be made plain at last, and mountains and warfare will separate no longer our British nation in India, from that noble race who now hate and defy us. We have heard recently of the discoveries in Africa, and we see there the opening up of the course of the Zambesi and its net work of streams in the central region; and so in central Asia, we may owe to some pioneer of truth, the first introduction to lands which we dare not now enter, and to races which are now fierce as the chafed lion of the wilderness. Come it will in some way—this opening up of long closed lands, this welding together of hostile nations: come it will, though its arrival may be delayed, though the first movements toward it may be rejected; through the memory of our ambitious and unjust invasion of Afghanistan, our crooked policy in Central Asia, and the scandal both have brought on the Christian name.

This subject is far too important to be summarily dismissed in a paper on the prospects of India; and it is one which deserves much more careful consideration than it has yet received at home. Our position, at present, is probably the strongest possible. We have the Soliman Range for our North-Western

Frontier, and, within that, we have the Indus. In the valleys of that range, and on either side of it, are a large number of tribes always at war among themselves, and resolute in resisting regular government. Any foe approaching us in this direction would have to enter India through difficult passes, to find us on our own soil, with illimitable resources behind us, and with the entire command of the Indus from the port at Kurrachee to the Hindu Koosh. And with this prospect the foe expected is Russia ! To guard against this danger, it is our policy to check her distant approaches. If Persia occupy Herat, she can command Candahar, and from Candahar has easy access to the commencement of difficulties in the Soliman Range, and Persia is the dependent of Russia, and Russia can gradually advance her posts from Khiva or Astrabad to Herat, and thence onward through Candahar, either with or without Persian intervention. Such is the picture drawn of our danger. But the whole thing is contemptible. In the first place, what is the astute policy by which alone this danger can be averted? Neither Persia alone, nor Persia and Russia combined, shall be permitted to occupy Herat. It is the gate of India. It is to be an independent government for ever. In other words, because our position (wonderfully strong as it is) is not strong enough already, we must have further security by perpetuating between us and Teheran, and between us and the Russians, Herat and all the other vile and murderous despotisms under which for so many centuries Central Asia has been reduced to a battle field of blood-thirsty ferocious Mussalman chiefs. That is the point of morality to which we are carried by the Monro doctrine, which we wish to establish in Asia. Whenever, therefore, any danger arises from Persian attempts on Herat, we must attack that country, reduce its strength and pride, and—render it a still easier prey than before to Russian ambition. It will be found on enquiry, that the ablest men who have studied the subject, acknowledge that the policy involves a constant irritating interference in Central Asia, which rouses the jealousy of all the rulers against us, and which tends to lead us on to conquests beyond our frontier that will produce little or no return, will entail enormous expense, and commit us to still further advances, till at last we shall go to meet the Russians instead of their coming to meet us—we shall meet them in positions where their resources are all near at hand, while ours are all separated from us by mountain ranges, peopled by warlike and treacherous, and perhaps, hostile tribes.

When Herat was in danger before, we adopted this policy. We complained that Russia, while at peace with us, had officers assisting the Persian army : it is matter of history that we had English officers defending the city. And the English govern-

ment carried the House of Commons along with it in extolling our Afghan expedition—the simple expedient being one of the most disgraceful tricks in English history, a careful garbling of a Blue Book, in which passages were so omitted, and passages were brought into such convenient collocation, that exactly the reverse of the truth was exhibited to view. Those who desire proof and illustration of this skilful mode of escaping from a difficulty, for which Lord Palmerston is so famous, may see it in Kaye's History of the War in Affghanistan; and a reference to the subject may be seen, with other important matter, in Dr. Buist's petition to the House of Lords, in their Third Report on Indian Territories, session 1852-53. We refer to the Blue Book, as ordered to be published by the House of Commons. By dexterities of this kind, and exceedingly flourishing accounts of the brilliancy of our successes, our popularity in Affghanistan, the peacefulness of the country, and the entire success of our policy, the delusion was kept up—till our army was massacred; and we had to re-enter the country "to exact retribution," recover our hostages (leaving, it is believed, many British subjects in hopeless slavery,) and then to retreat with "glory;" our monument being erected, in hatred and the desire for revenge, in the hearts of the people. Such was that "famous victory."

But there is another view of this matter. Suppose the case that Russia does advance to Herat,—nay more, that she occupies Teheran, Astrabad, Khiva, Bokhara, Khelat, and Candahar—what then? *We* know by experience that by every movement forward in such a region, we become more and more powerless for aggression. We have new fortresses to hold, new hostilities to dread, new tribes to hold in check. Thus it is now on our present frontier. We have to face on the mountains from Huzara to the Scinde boundary, 135,000 fighting men, and we gallantly hold our own with 23,000 men. But what additional force is necessary behind them? We are in fact compelled to keep a large army in the highest state of efficiency in the Punjab, and if we moved onward to Afghanistan, we should have to increase our forces at every step. Exactly so it must be with Russia. As she advances her frontier amidst the finest races of fighting men in the world, her difficulties will thicken around her; her troops will be more employed in the work of defence at every step; she will have a new Circassia to conquer and to hold; and finally her approach will throw into real alliance with us, the Afghans; who at present are dreading us and not her. But views of this kind are not in keeping with the rash, impulsive, short-sighted policy which has recently become popular, and perhaps, we should apologize for such unwelcome sentiments. We speak,

JUNE, 1857.

A 1

however, to wise men, let them judge what we say. Let it be remembered that when we occupied the Punjab, we then, for the first time, fairly confronted Central Asia, and that now we have the responsibility connected with our influence in that new position. If we do justice and preserve peace, and gradually conciliate the confidence of the people, if we go on in earnest in India promoting the welfare of the people, and not class-interests, we shall soon find our reputation extending, and to the British Government in India all the tribes will look for guidance and for protection.

In speaking thus of the wisdom and duty of preserving peace, and leaving the internal affairs of Central Asia altogether alone, it is necessary to guard against misconception. This policy is very different from that of maintaining the existing Native states within the Indian frontier. The manner in which the annexation of Oude and Nagpore has been spoken of in England, renders it necessary to insist on the grand and broad distinction between foreign meddling and aggression on the one hand, and the consolidation of our power in India on the other. We are here in a position of extraordinary authority and influence. The whole of this vast population is necessarily affected by our influence, whether they be dwelling in the British dominions, or in the Native states. If in any case we find ourselves, as we did in Oude, the really sovereign power (from the effeteness of the Native Government)—and our power does nothing more than shield the Native rulers in a course of wild, barbarous tyranny,—our course is clear, we must terminate a state of things so dishonoring to our name, and so productive of misery to millions of our fellow men. Just so with the case of states which lapse to us by treaty. Our first duty undoubtedly is to fulfil every word of our obligations; but to contend that in the face of all experience of Native misrule, we are to prefer Native to British government, and to seek for the means of renewing Native dynasties which are but of yesterday, at the best, and have no claim on the gratitude of the country, appears to be strange policy and strange morality. Let these considerations be applied to past and present cases of political relations to Native states, and perhaps, they will help us to a sound conclusion. In truth it was too much the policy formerly to disregard the people altogether, and to end our wars, however treacherous and unprovoked might have been the invasions of our territory we were resisting, by simply bargaining for some money payment and some political rights, and then to replace the conquered satraps on their throne, to grind the people again at their pleasure, to extort from them the tribute we demanded, and to spend the chief part of their states-treasures in the lowest and

most degrading follies and debaucheries. But now we begin to understand, that in every case where a right arises to annex a Native state, it is our duty to consider the people. This we did not after the first Burmese War. We gave back Pegu to Burmah, and the result, which we might have anticipated, followed, in the attempt of the Burmans to exterminate the Peguans who had shown their sympathy with us. And just so it would have been in 1853, with the Karens, had we then again given up that province.

There is, however, a special case which requires to be dealt with on separate grounds. In 1846, when the Sikhs invaded India, and Lord Hardinge was engaged in his arduous contests, Golab Sing, with a considerable force, held aloof. When our army, wearied and reduced, approached Lahore, he advanced with equivocal assurances to meet us. Lord Hardinge, willing to buy off his opposition, and feeling the difficulty of our position while Golab Sing remained as a nucleus for the still numerous though defeated Sikhs to rally round, consented to give him Cashmere in payment for £750,000. The arrangement was not to our honor; it was the result of a weak policy; and was a pitiable sacrifice alike of justice and magnanimity. That unhappy country, thus surrendered to one of the worst of men, has since been so fearfully misgoverned, that the people's groans plead with us on the common ground of humanity for pity and deliverance. And what, we must ask, is our position in the sight of God in relation to that country? The tyrant is dead. We have one great motive for not desiring to interfere—the apprehension that our movements may excite still more the jealousy and the alarm of the surrounding people, and postpone that conciliation of their prejudices which is so desirable. But the case is a special one—not to be decided on considerations of expediency, not to be complicated by the temptations to our trade from the invaluable resources of Cashmere; but to be decided solely on the broad and simple grounds of justice and national responsibility.

In entering on the details of the external trade by sea, a few preliminary remarks may suffice. The returns from each Presidency give the results of the trade with foreign ports, and Indian ports out of that presidency. Thus, while the port-to-port trade in the Madras or Bombay Presidency is excluded, the Trade from one port to another in a different Presidency—Madras, for instance, to Rangoon or to Calcutta, is included. In quoting the returns we propose to deduct the bullion imported or exported by Government from port to port in the Bengal and Bombay Presidencies, but the returns from Madras do not enable us accurately to separate Company's from private treasure.

We propose in each Presidency to allow the Government imports of stores and merchandize to remain. The case of the Straits Settlements must be dealt with separately; and in each case the official value will be given in the first instance.

We commence with the returns of 1853-54, because the two subsequent years may be regarded as exceptional on account of the war. But whether the impulse then given to the trade in particular articles will not be permanent, and whether the rise of prices which then accrued will not, from other causes, be permanent also, must be subjects for separate consideration. The returns from 1853, including the year just closed, will, we believe, fairly indicate our present position, and may be taken as indicative of the tendency of our trade, as to particular articles of export, and the import of treasure, and the increased consumption of British manufactures.

We shall take no cognizance of re-exports, as that would lead us into multifarious details, and into distinctions between re-exports of different classes; and it is not important to dwell on this subject, as the aggregate is not very important in so very large a traffic.

The results then are as follow :—

BENGAL, INCLUDING ARRACAN AND TENASSERIM.

<i>Imports, 1853-54.</i>		<i>Exports, 1853-54.</i>	
Merchandize	£ 5,935,187	Merchandize	£ 11,061,155
Company's ditto	£ 132,379	Treasure	£ 485,069
Treasure	£ 2,152,322		
	£ 8,219,888		£ 11,546,224

Total Trade.

Imports	£ 8,219,888
Exports	£ 11,546,224
	£ 19,766,112

Bills on Bengal by the Court of Directors£ 3,386,706

<i>Imports, 1854-55.</i>		<i>Exports, 1854-55.</i>	
Merchandize	£ 6,921,278	Merchandize	£ 11,516,333
Company's ditto	£ 142,094	Treasure	£ 551,011
Treasure	£ 694,886		
	£ 7,758,258		£ 12,067,344

Total Trade.

Imports	£ 7,758,258
Exports	£ 12,067,344
	£ 19,825,602

Bills on Bengal by the Court of Directors£ 3,093,959

Imports, 1855-56.

Exports, 1855-56.

Merchandize.....£	8,186,162	Merchandize.....£	13,633,030
Company's ditto £	170,555	Treasure	£ 255,361
Treasure	£ 6,011,225		
			13,888,391
	£ 14,367,942		

Total Trade.

Imports	£ 14,367,942
Exports	£ 13,888,391
	£ 28,256,333

Bills on Bengal by the Court of Directors£ 1,232,633

SHIPPING.

Arrivals, 1853-54.

Departures, 1853-54.

	<i>Vessels.</i>	<i>Tonnage.</i>		<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged...	990	528,499	Square Rigged	1,027	631,539
Native Craft ...	392	52,139	Native Craft...	495	52,481
	1,382	580,638		1,522	684,020

Arrivals, 1854-55.

Departures, 1854-55.

Square Rigged	1,225	481,881	Square Rigged	1,151	601,187
Native Craft...	417	44,500	Native Craft...	515	52,868
	1,642	526,381		1,666	654,055

Arrivals, 1855-56.

Departures, 1855-56.

Square Rigged	1,529	864,227	Square Rigged	1,555	861,546
Native Craft...	514	56,005	Native Craft...	593	61,958
	2,043	920,232		2,148	923,504

MADRAS TERRITORIES.

Imports, 1853-54.

Merchandize.....£	1,635,233
Treasure	£ 1,106,029
	£ 2,741,262

Exports, 1853-54.

Merchandize.....£	2,997,735
Treasure	£ 1,069,182
	£ 4,066,917

Total Trade.

Imports	£ 2,741,262
Exports	£ 4,066,917
	£ 6,808,179

We have no account to insert here of the bills drawn on Madras by the Court of Directors, but the amount could not be large.

Imports, 1854-55.

Merchandize.....£	1,912,496
Treasure	£ 648,195
	£ 2,560,691

Exports, 1854-55.

Merchandize.....£	2,394,808
Treasure	£ 820,695
	£ 3,215,503

Total Trade.

Imports	£ 2,560,691
Exports	£ 3,215,503
	£ 5,776,194

Imports, 1855-56.

Merchandize.....£	2,313,387
Treasure	£ 1,371,669
	£ 3,685,056

Exports, 1855-56.

Merchandize.....£	2,917,090
Treasure	£ 441,875
	£ 3,358,965

Total Trade.

Imports	£ 3,685,056
Exports	£ 3,358,965
	£ 7,044,021

SHIPPING.

Arrivals, 1853-54.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	1,612	361,390*
Native Craft	3,881	182,503
	5,493	543,893

Departures, 1853-54.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	2,068	433,975
Native Craft	4,725	210,569
	6,793	644,544

Arrivals, 1854-55.

Square Rigged	1,749	389,212
Native Craft	3,677	171,421
	5,426	510,633

Departures, 1854-55.

Square Rigged	1,982	385,022
Native Craft	4,225	200,951
	6,207	585,973

Arrivals, 1855-56.

Square Rigged	1,221	356,611
Native Craft	4,439	213,918
	5,660	570,559

Departures, 1855-56.

Square Rigged	1,633	463,736
Native Craft	4,875	231,829
	6,508	695,565

PORT OF BOMBAY.

Imports, 1853-54.

Merchandise	...£	6,174,824
Treasure	£	2,263,538
	£	8,438,362

Exports, 1853-54.

Merchandise	£	7,982,493
Treasure	£	1,524,695
	£	9,507,188

Total Trade.

Imports	£	8,438,362
Exports	£	9,507,188
	£	17,945,550

We have not the return of the bills drawn on Bombay by the Court of Directors, but it may be generally stated that about

* This number of square rigged vessels includes many which called at Madras with a portion of cargo, or with passengers.

£3,500,000 is thus drawn from India for home dividends, pay, pensions, &c.

Imports, 1854-55.

Merchandize ...£	6,497,728
Horses	£ 30,015
Treasure	£ 1,337,478
£	7,865,221

Exports, 1854-55.

Merchandize ...£	7,464,581
Horses	£ 1,200
Treasure	£ 704,099
£	8,169,880

Total Trade.

Imports	£ 7,865,221
Exports	£ 8,169,880
	£ 16,035,101

Imports, 1855-56.

Merchandize ...£	6,529,663
Horses	£ 74,260
Treasure	£ 4,973,380
£	11,577,303

Exports, 1855-56.

Merchandize ...£	8,940,639
Horses	£ 2,260
Treasure	£ 1,345,016
£	10,287,915

Total Trade.

Imports	£ 11,577,303
Exports	£ 10,287,915
	£ 21,865,218

SHIPPING.

Arrivals, 1853-54.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	313	191,014
Native Craft	5,567	209,973
	5,880	400,987

Departures, 1853-54.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	300	179,823
Native Craft	4,631	173,474
	4,931	353,297

Arrivals, 1854-55.

Square Rigged	285	181,159
Native Craft...	4,899	185,700
	5,184	366,859

Departures, 1854-55.

Square Rigged	294	182,090
Native Craft...	3,735	147,067
	4,029	329,157

Arrivals, 1855-56.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	320	229,403
Native Craft...	5,845	223,524
	6,165	452,927

Departures, 1855-56.

	<i>Vessels.</i>	<i>Tonnage.</i>
Square Rigged	324	231,496
Native Craft...	4,372	167,824
	4,696	399,320

This return, however, thus far applies only to the port of Bombay. The returns for the other ports of the Bombay Presidency, as follows:—Alibaugh, Bassein, Broach, Bulsar, Caringah, Dholarah, Gogo, Ghurbunds, Jumbosur, Kurrachee, Mahonn, Oolpar, Omergun, Panwell, Rajpooree, Rutnaghur, Soevendroog, Surat, Tarnapore, Tromboy, Unjunwell, Vingorla, Vizradroog, Waghra, Warree—exhibiting in detail the imports and exports, appear in the report of external commerce of Bombay for 1855-56. The amounts given by these returns are :

Imports.

Merchandise	£	286,980
-------------------	---	---------

Exports.

Merchandise	£	285,643
-------------------	---	---------

But we have not the means of presenting a comparison with former reports, and therefore will omit them in the aggregates which we shall have to present.

The Report of the Administration of the Province of Pegu affords some considerable information of its external trade, both by sea and the rivers. The returns (deducting £200,000 annually, as the fair estimate of imported Government treasure) may be stated as follows, for the aggregate of the four ports of Rangoon, Dalhousie, Toongoo, and Thyat-Mew.

MERCHANDIZE AND TREASURE, 1853-54.

Imports	£	344,737
Exports	£	381,601
	£	726,338

1854-45.

Imports	£	755,827
Exports	£	852,513
	£	1,608,340

JUNE, 1857.

B 1

1855-56.

Imports	£ 1,267,071
Exports	£ 663,785
	£ 1,930,856

We have not the tables of the Straits' Settlements beyond 1853-54, but as the trade there is certainly on the increase, the following returns for 1852-53 and 1853-54 may be an understatement, rather than an exaggeration, of the trade in the years to which the preceding returns refer.

IMPORTS, 1852-53.

Prince of Wales' Island.

Merchandise	£ 539,018
Treasure and Bullion	£ 38,087
	£ 577,105

Singapore.

Merchandise	£2,804,584
Treasure and Bullion	£ 421,438
	£3,226,022

Malacca.

Merchandise	£ 63,832
Treasure and Bullion	£ 15,094
	£ 78,926

EXPORTS, 1852-53.

Prince of Wales' Island.

Merchandise	£ 622,128
Treasure and Bullion	£ 160,454
	£ 782,582

Singapore.

Merchandise	£2,312,231
Treasure and Bullion	£ 475,842
	£2,788,073

Malacca.

Merchandise	£ 37,267
Treasure and Bullion	£ 26,575
Total Exports	£ 63,842

Total for Straits' Settlements.

Imports	£ 3,882,053
Exports	£ 3,634,497

IMPORTS, 1853-54.

Prince of Wales' Island.

Merchandise	£ 581,239
Treasure and Bullion	£ 93,061
	£ 674,300

EXPORTS, 1853-54.

Prince of Wales' Island.

Merchandise	£ 689,002
Treasure and Bullion	£ 179,945
	£ 868,947

Singapore.

Merchandise.....	£ 3,191,546
Treasure and } Bullion ... }	£ 956,144
	£ 4,147,690

Singapore.

Merchandise	£ 2,389,788
Treasure and } Bullion ... }	£ 1,018,017
	£ 3,407,805

Malacca.

Merchandise.....	£ 84,162
Treasure and } Bullion ... }	£ 956,144
	£ 1,040,306

Malacca.

Merchandise....	£ 845,133
Treasure and } Bullion ... }	£ 25,330
	870,463

Total for the Straits' Settlements.

Imports	£ 5,862,296	Exports.....	£ 5,147,215
---------------	-------------	--------------	-------------

This is exclusive of the intermediate trade.

The Report of the Administration of the Straits' Settlements, during 1855-56, does not give any detailed statement of the trade, but it contains the following remarks:—

“ While the trade of Penang and Malacca has but little increased, since 1850-51, that of Singapore has experienced a very remarkable rise, and is now nearly seventy-five per cent. greater in amount than in 1850-51, shewing an extent during the past year of ninety-five millions of rupees (£9,500,000.)”

A caution is then added against entire reliance on the returns of trade, as the port being a free port, no check exists on the values and estimates of the traders; and it is then said:—

“ The position of Singapore, in a commercial point of view, is so admirable, that little surprise is felt at the great and annually increasing amount of trade that has there developed itself. Its harbour is open, accessible from all quarters, and free from all dangers of winds and waves. Every ship between India and China must, it may be said, go through the harbour, while it becomes a dépôt for the produce of the whole of the Malayan Peninsula and Archipelago, of Borneo, of Siam, Cambodia and Cochin China, which it attracts with double force, by its freedom from all the annoyances and vexatious interference of a custom-house and its myrmidons. Such freedom is peculiarly grateful to the sensitive and jealous Malay, not on account of the absence of all money payments, but that he has no apprehension of being meddled with, cheated, and perhaps ill-treated; and so long as that freedom continues, so long may we look forward to a perennial augmentation of a trade that is already almost unexampled in its growth and magnitude.”

A paper is then annexed, which, without distinguishing mer-

had imported, and 5,384 aggregating 112,187 tons had exported, exclusive of 1,273 vessels aggregating 46,768 tons, trading between the three stations.

The following statement is given by the Commissioner as an illustration of the value of these settlements to the Mother country, and of their relations to the Dutch Colonies, demonstrating "the judicious selection of Singapore, as an emporium, and its advantages as a free port" :—

Trade of Penang with Great Britain.

Imports in 1853-54	£ 103,572	
Ditto in 1852-53	£ 83,610	
		Increase, ... £ 19,962
Exports in 1853-54	£ 174,533	
Ditto in 1852-53	£ 132,027	
		Increase, ... £ 42,506
Total Increase in 1853-54, ...		<u>£ 62,468</u>

Trade of Singapore with Great Britain.

Imports in 1853-54	£ 1,184,333	
Ditto in 1852-53	£ 790,610	
		Increase, ... £ 393,723
Exports in 1853-54	£ 564,142	
Ditto in 1852-53	£ 407,696	
		Increase, ... £ 156,446
Total Increase in 1853-54, ...		<u>£ 550,169</u>

Trade of Singapore with the Australian Colonies.

Imports in 1853-54	£ 118,249	
Ditto in 1852-53	£ 27,922	
		Increase, ... £ 90,327
Exports in 1853-54	£ 167,633	
Ditto in 1852-53	£ 115,809	
		Increase, ... £ 51,824
Total Increase in 1853-54, ...		<u>£ 142,151</u>

*Trade of Singapore with Java, Macassar, Rhio, Bally, Somback,
and Sambaroa.*

Imports in 1853-54	£ 491,552
Ditto in 1852-53	£ 274,393
	Increase, ... £ 217,159
Exports in 1853-54	£ 347,535
Ditto in 1852-53	£ 211,856
	Increase, ... £ 135,679
Total Increase in 1853-54, ...	<u>£ 352,838</u>

The articles principally imported in the last mentioned year were cotton goods chiefly from the United Kingdom, valued at about £ 850,000, grain, China petty goods, cheroots, silk and silk goods, opium, sugar, tea, tobacco, spices ; and the exports were cheroots, birds' nests, cotton goods, rice, gums, metals, opium, silk goods, spices, sugar, timber.

Of the vessels that arrived at Singapore in 1853-54, the following is the list:—

Austrian	1	Native (Flag)	20
American	47	Portuguese	14
Arabian	9	Peruvian	2
Belgian	3	Prussian	3
Bremen	8	Russian	2
Danish	9	Siamese	25
Dutch	179	Swedish	15
French	18	Spanish	6
Hambro.....	21	British	644
Norwegian	2		

The Cosmopolitan character of Malacca and of Penang (the port of Prince of Wales' Island) is very similar.

In referring to all these foregoing statements, we find the following results:—

Total Trade, 1853-54.

Bengal.....	£ 19,766,112
Madras	£ 6,808,179
Bombay	£ 17,945,550
Pegu	£ 726,338
Straits' Settlements	£ 6,000,000
	£ 51,246,179

Total Trade, 1854-55.

Bengal	£ 19,825,602
Madras	£ 5,776,194
Bombay	£ 16,035,101
Pegu	£ 1,608,340
Straits' Settlements	£ 8,800,000
	£ 51,545,237

1855-56.

Bengal	£ 28,256,333
Madras	£ 7,044,021
Bombay	£ 21,865,218
Pegu	£ 1,930,856
Straits' Settlements	£ 9,000,000
	£ 68,096,428

Or, in another form, as follows:—

Imports, 1853-54.

Bengal	£ 8,219,888
Madras	£ 2,741,262
Bombay	£ 8,438,362
Pegu	£ 344,787
Straits' Settlements	£ 3,000,000
	£ 22,744,249

Exports, 1853-54.

£ 11,546,224
£ 4,066,917
£ 9,507,188
£ 381,601
£ 3,000,000
£ 28,501,930

Imports, 1854-55.

Bengal	£ 7,758,258
Madras	£ 2,560,691
Bombay	£ 7,865,221
Pegu	£ 755,827
Straits' Settlements	£ 4,300,000
	£ 23,239,997

Exports, 1854-55.

£ 12,067,344
£ 3,215,503
£ 8,169,880
£ 852,513
£ 4,000,000
£ 28,305,240

Imports, 1855-56.

Bengal	£ 14,367,942
Madras	£ 3,685,056
Bombay	£ 11,577,303
Pegu	£ 1,267,071
Straits' Settlements	£ 5,000,000
	£ 35,897,372

Exports, 1855-56.

£ 13,888,391
£ 3,358,965
£ 10,287,915
£ 663,785
£ 4,000,000
£ 32,199,056

We do not propose to proceed to any detailed consideration of the trade of 1856-57, ending the 30th April last, as complete returns are not at present available; but the following estimate, though not absolutely accurate, will be found very nearly so. It includes only Calcutta, the Madras territories, and the Bombay territories.

CALCUTTA, 1856-57.

<i>Imports.</i>		<i>Exports.</i>	
Merchandize	£7,841,730	Merchandize	£13,618,626
Treasure	£6,638,685	Treasure	£ 1,003,676
£14,480,415		£14,622,302	

MADRAS TERRITORIES, 1856-57.

<i>Imports.</i>		<i>Exports.</i>	
Merchandize	£2,305,898	Merchandize	£ 3,717,380
Treasure	£1,613,515	Treasure	£ 344,186
£3,919,413		£4,061,566	

BOMBAY, 1856-57.

<i>Imports.</i>		<i>Exports.</i>	
Merchandize	£7,629,221	Merchandize	£10,983,008
Treasure	£8,248,361	Treasure	£ 1,588,873
£15,877,582		£12,571,881	

The foregoing results, it must be observed, are afforded, (as to all but the Straits' Settlements) by the official values. It then becomes an important and interesting question, how far these official estimates are true criteria of the real value. That the official value, on the whole, affords a correct index in the case of the imports, appears to be admitted: being, it may be, erroneous, in respect of some articles, by too high a valuation, and erroneous by too low a valuation in respect of others; but on the whole affording a fair estimate of the aggregate value of the imports—at least in Bengal. But this is not so, at present, in respect of the exports, as we shall proceed to show. Enough, however, has already been stated to warrant Adam Smith's

suggestion, that "the East Indies offered a market for the manufactures of Europe greater and more extensive than Europe and Asia put together."

These results too recall Lord Grenville's most masterly and noble speech in 1813: the greatest speech ever delivered on Indian affairs. At that time the aggregate of the trade of India with Great Britain, was not £2,500,000 a year, (Exports and Imports), and the evidence given for the East India Company, by its witnesses, went to show the improbability of any extended demand for European goods. Such was the doctrine gravely propounded by eminent witnesses in defence of the monopoly—Warren Hastings, Sir Thomas Munro, Sir John Malcolm, and others. But said Lord Grenville in the House of Lords:—

"To what extent this trade of India may be carried, presumptuous indeed would be the man who would now venture to pronounce. On what evidence, what conjecture would he found his judgment? What present knowledge, what past experience of India could possibly decide that question? 'No commerce,' Trebatius or Quintus Cicero returning from a campaign in Britain, would probably have informed the Roman Senate; 'no commerce can ever be carried on with that uncivilized, uncultivated island, divided absolutely from the whole world by tempestuous, unnavigable seas, and inhabited only by naked and houseless barbarians.' 'No commerce,' some sage counsellor of Henry and Elizabeth, might, with equal authority, have assured those monarchs, 'can ever be opened with the dreary wild of North America, a land covered with impenetrable forests, the shelter only of some wandering tribes of the rudest and most ferocious savages.' Yet of these predictions, the folly might be palliated by inexperience. In the defect of better knowledge, such conjectures might even pass for wisdom. But what shall we say to those, who deny the possibility, not of opening new sources for the commerce of mankind, but of enlarging its present channels—who tell us that the trade we now carry on with India, must, in all future times, be limited to its actual amount? Strange and unprecedented necessity, which has thus set bounds to human industry and enterprise, arresting the progress of commercial intercourse, and by some blasting and malignant influence, blighted the natural increase of social improvement! With full and confident assurance, may we repel these idle apprehensions. By commerce commerce will increase, and industry by industry. So it has ever happened, and the Great Creator of the world has not exempted India from this common law of our nature. The supply, first following the demand, will soon extend it. By new facilities, new wants and new desires will be produced. And neither climate nor religion, nor long established habits—no, nor even poverty itself, the greatest of all present obstacles, will ultimately refuse the bene-

fits of such an intercourse to the native population of that empire. They will derive from the extension of commerce, as every other people has uniformly derived from it, new comforts and new conveniences of life, new incitements to industry, and new employments, in just reward of increased activity and enterprise."

So spake the statesman; and history records the begun fulfilment of his prediction, and encourages the confident belief, that larger anticipations than even that illustrious man himself probably ever entertained, will be realized before a century has past from his delivery of that magnificent oration. The point to which we have already reached, will be now ascertained by an enquiry into the value of the exports of the year we have last reviewed, 1855-56. The question of gradual progress will then next engage our attention.

It is at all times difficult to fix the value of goods for duty, but of course particularly so in a fluctuating market, and when the articles to be valued vary much in quality. Probably the best plan in large ports is to issue, yearly or half-yearly, tariffs of values, based on fair averages. If this be not done, there must always be much uncertainty, and great loss to the revenue from under-valuation, or complaints of restrictions on commerce from excessive duties. In the one article of sugar, for instance, the prices of the various sorts of one kind ranged in 1855-56, from nine rupees eight annas (nineteen shillings) a maund to five rupees four annas, and the combined average price for all sorts of that one kind of sugar was seven rupees or fourteen shillings; for the various sorts of another kind, the range was from seven rupees to four rupees; the general average being five rupees ten annas; and for the third kind the range for various sorts was, from six rupees fourteen annas to three rupees twelve annas, the combined average for this kind being five rupees two annas. This was the range of markets for Benares, Date, and Dummah Sugar. But this affords very little guide in now estimating the real value of this article, which is exported free of duty. Much less will any returns of this description afford an accurate guide for articles on which there is a duty levied on the real value; it being evidently anything but the interest of the exporter to assist the Custom House, in assessing the utmost value. Moreover, while the returns afford evidence of the gross-quantities shipped, and it is easy to ascertain the range of prices for any particular descriptions of an article; it is almost impossible, when the fluctuation of prices has been considerable and frequent, when there is no mode of testing the relative amounts and proportions of the different sorts of such an article shipped, to deter-

mine absolutely what the real value of any past year's shipments has been. It is clear, however, that if there has been a decided general rise in prices, and that the chief activity in shipping prevailed at the time when prices were highest, then any return of values based on precisely the same data as to prices, as were used under the lower standard of the previous year, must be erroneous. And such was precisely the case with the Bengal Exports of 1855-56. We have seen one calculation, by a very competent person, which makes the real value of the Exports of 1856 to be £19,922,803; but this high estimate includes packing and shipping charges, duties, commission, &c. &c.: this plan having been adopted, in that table, with reference to other calculations respecting the Exchanges. Our own impression, from careful consideration and attentive examination of the subject, certainly is, that the real Calcutta market value of the Exports of 1855-56, (the official year), which were valued at £13,888,391, was nearly £16,500,000. But as the value of the Imports is based on the Invoices, which include the charges, insurance, and freight, the comparison between this £16,500,000, as our market value, with the value of Imports, will be delusive. We need not indeed add the freight of Exports, as it is not usually paid in India, but other charges, to the amount of more than ten per cent., must be added, making the aggregate value of Exports, to be repaid in India, by Merchandise, or Bullion, or remittances of the Company's Bills for our tribute, probably £18,000,000. But it is to be remembered that not all the Imports can be set off against the Exports, for some certainly come to this country for permanent investment. Such is the case with importations of Railway materials.

A very brief examination of details will illustrate our position as to the market value, as contrasted with the official. Taking Linseed for example, the official value at two rupees for 2,538,225 Indian maunds, (about 900,00 tons), was £507,824; but it may be questioned, if four rupees a maund was too high an average for the whole of the Linseed shipped in that year. This would give £1,015,648. The difference in Saltpetre was not so remarkable, but still the real value exceeded considerably the official. In the case of Jute, the official value for 1,194,470 maunds, was £327,476, at ten rupees a bale of three hundred pounds; but a very careful calculation gives an average of at least twelve rupees eight annas, or twenty-five per cent. additional. In the case of rice, the official value of 9,187,259 maunds, (328,000 tons), was £1,047,133; but we believe that at least one rupee a maund may fairly be added to this estimate, giving a result of upwards of

£ 900,000 additional. On this article there is a fixed duty of one anna and a half a maund, and there is consequently no reason for concealment of the value; and now steps are being taken, by monthly returns from the Chamber of Commerce, to ascertain the value accurately. In the case of Raw Silk, the duty is three annas and a half per seer, (or two pounds), and in this case also the real value probably could henceforth be easily ascertained. The official value given for 18,229 maunds, in 1855-56, was £703,822, that is for 729,160 seers—an average of somewhat less than ten rupees (£1) a seer. It is difficult now to form an opinion on the subject with any confidence, from the varieties of Silk that were in the market, but on the whole it may probably be stated with tolerable confidence that twelve rupees eight annas would be a fair average, giving in this case also, an increase of twenty-five per cent. The proportionate increase in Mustard Seed, of which 1,307,115 maunds were shipped, and were valued (at two rupees a maund) at £261,541, may be taken to be equal to that in Linseed; or a hundred per cent. In the case of Opium, 44,937 chests are valued officially at £3,638,917, and this is doubtless correct, and the official value of Sugar may also be correct, if it does not indeed exceed the real value. But taking a long series of articles: Indigo, Cotton, Wheat, and other Grain, Castor Oil, Gunnies, and Gunny Cloth, Hides, Lac, Poppy Seed, Provisions, Rum, Safflower, Tea, &c.; it may be fair to say that twenty or twenty-five per cent. on the average, might be fairly added to the official value. The rise of prices in the course of the official year was undoubtedly very great, and continued almost up to its termination. The news of the peace was entirely unexpected, and did not reach Calcutta in a definite and authentic form till March.

The rise in the prices in the other Presidencies, probably was not so great, and the consequent temporary disparity between the real and the tariff value, not so great as in Bengal. But if it be stated generally, that the real market value of Exports from the three Presidencies, Pegu and the Straits, was thirty-six or thirty-seven millions sterling, instead of £32,199,056, as previously calculated from the official returns, or nearly *forty millions*, with the duties and charges, few perhaps will question the accuracy of the supposition.

The general subject of prices in India is one of much interest and importance, but at present, it is too early to reach any definite conclusion. In the interior it is notorious that prices of produce, of labour, and of boat hire, have risen greatly. Shippers, the Railway Company, and the Government alike feel it.

But as new modes of communication are created, a vast increase will occur in the quantities of produce brought to market, and probably also in the amount of labour available; and a reaction may begin. In some articles the rise in the market value, during the last five years, has been remarkable—in some articles more than a hundred per cent.; and these articles of increasing export,—such as Seeds, Rice, and Jute. The immediate result is so great a rise in the retail price of the chief articles of a Bengali's consumption, that discontent and some suffering are the consequences. But the tendency is to a compensating rise in wages, and to increased production, with the consequent increase of wealth. But the restricted means of internal communication render the process of diffusion of new elements, more difficult here than in more favored lands, and give a kind of monopoly to the productions of a part only of the country, and thus artificially raise the prices of provisions. It is not supposed that the country does not already yield much more than is required for its own consumption, and its present enlarged export; but so very large a part of this production is confined to places which are at present inaccessible, that there is a large surplus quantity from year to year, harvest after harvest, which cannot reach the great markets to equalize the general prices throughout all the districts.

It is however exceedingly interesting and gratifying to notice the progress made in the external commerce, as an indication that the expanse of country, and portion of the population concerned in the country trade, must have increased and must still be rapidly increasing. The facts on this subject are of a very remarkable character, and deserve careful consideration, not merely as proofs of the great change already effected by freedom of commerce, since 1813, but also as affording substantial ground for the expectation of greatly enlarged advances.

The earliest return of the tonnage entered inwards at Calcutta, is for the year 1795-96. Up to year 1829-30, the period to which the return extends, the following was the number of vessels from the United Kingdom and all parts beyond India:—

YEARS.	GRAND TOTAL.	
	Ships.	Tons.
1795-96.....	170	57,696
1796-97.....	172	63,924
1797-98.....	139	52,464
1798-99.....	121	43,349
1799-1800.....	145	47,403
1800-1.....	170	54,759
1801-2.....	153	52,944
1802-3.....	205	81,293
1803-4.....	177	65,027
1804-5.....	185	69,557
1805-6.....	210	82,814
1806-7.....	245	92,652
1807-8.....	194	72,544
1808-9.....	151	50,545
1809-10.....	168	63,151
1810-11.....	200	69,179
1811-12.....	225	87,124
1812-13.....	226	84,228
1813-14.....	222	77,192
1814-15.....	200	68,928
1815-16.....	291	94,966
1816-17.....	369	142,006
1817-18.....	428	161,346
1818-19.....	395	157,441
1819-20.....	273	103,553
1820-21.....	261	104,932
1821-22.....	261	102,864
1822-23.....	286	116,641
1823-24.....	228	87,524
1824-25.....	274	111,641
1825-26.....	244	97,281
1826-27.....	245	97,067
1827-28.....	304	111,233
1828-29.....	278	110,214
1829-30.....	236	89,655

We quote from the return in the Appendix to the Report of the House of Commons, in 1832—as published by the Court of Directors, in 1833. The notes to it indicate the constant persuasion of the Reporter of external commerce, that the opening of the trade with India in 1813 was a very doubtful measure. It is true that the Imports from Great

Britain rose from about fifty-three lakhs of sicca rupees, (or about £650,000), in 1813-1814 to 1,59,44,495 sicca rupees, or nearly two millions sterling, in 1818-19; but then that "burst of enterprise and speculation" recoiled on its promoters. In 1821-22, it is remarked that "the demand for the produce and manufactures of Europe, must be confined to a few articles only, and the average of the preceding five years is regarded as too favorable a prospect." But following up the case beyond the date of this return, we find a strange comment on this opinion, thus propounded in Calcutta, and prepared for publication to the world at the East India House! We will confine ourselves to a series of years, which we shall presently have to review for other purposes, premising however, that the last extract given by the Court in 1832 from its Calcutta reports, is as follows: "We submit a retrospect of the last ten years, drawing a comparison between the five years last past, and the five years antecedent to that period, the aggregate result of which is a decrease in the trade both in the Imports and Exports."

SHIPS AND TONNAGE ARRIVED AT CALCUTTA.

	<i>Square Rigged Vessels.*</i>	<i>Tonnage.</i>
1833-34	339	124,160
1834-35	223	120,635
1835-36	312	111,400
1843-44	574	237,274
1844-45	668	454,547
1845-46	669	290,260
1853-54	677	397,980
1854-55	866	481,188
1855-56	1,134	650,320

The following may suffice for illustrations of the tonnage that entered the Ports of the Madras Territories, and the Bombay Presidency, commencing with the earliest return—in 1802, as published by the Court of Directors.

* This is intended to exclude Native Craft, but some such seem to have been included in the preceding statement.—Dhonies from the Maldives.

MADRAS.

	<i>Ships.</i>	<i>Tonnage.</i>
1802	88	38,342
1807 (including Native Craft)	2,045	110,009
1812-13	936	76,497
1817-18	1,160	90,789
1822-23	1,185	96,781
1827-28	1,918	109,537
1829-30 (the last in this return)	2,239	110,571

The other papers before us, as to this Presidency, only enable us to add the following supplement :

1844-45	6,181	430,295
1847-48	5,858	448,712
1853-54	5,496	543,893
1854-55	5,426	510,633
1855-56	6,503	695,565

BOMBAY PRESIDENCY.

1802-3 (this is the earliest return) ..	83	33,155
1807-8	82	37,069
1812-13	85	30,847
1817-18	139	59,804
1822-23 ..	120	48,118
1827-28	152	69,241
1829-30 (the latest in this return) ..	132	63,548

This may probably represent square rigged vessels only. With it we may compare the following :

PORT OF BOMBAY ONLY.

	<i>Square Rigged Vessels.</i>	<i>Tonnage.</i>
1843-44	378	169,187
1844-45	337	145,057

And the following result of 1855-56 for the whole Presidency :—

ARRIVALS, 1855-56.

	<i>Square rigged vessels and Native craft.</i>	<i>Tonnage.</i>
Bombay	6,165	452,927
Other Ports in the Bombay Presidency.	5,459	96,270
	11,624	5,49,197

The progress of the trade of each Presidency may be ascer-

tained, however, by other returns. The following is a table showing the external trade of Bengal from 1813-14 to 1855-56 inclusive:—

Statement showing the Trade, Imports and Exports.

Years.	Imports value.	Exports value.	Total value.
1813—14... ..	£ 2,266,668	£ 4,645,106	£ 6,911,774
1814—15... ..	2,712,642	4,749,950	7,462,592
1815—16... ..	3,617,934	5,641,083	9,259,017
1816—17... ..	6,210,844	6,135,335	12,346,179
1817—18... ..	6,305,123	6,541,790	12,846,913
1818—19... ..	8,207,800	6,189,536	14,397,336
1819—20... ..	5,860,664	6,097,881	11,958,545
1820—21... ..	4,651,649	5,803,261	10,454,910
1821—22... ..	4,805,303	6,594,951	11,400,254
1822—23... ..	4,415,591	6,700,344	11,115,935
1823—24... ..	3,936,765	6,279,833	10,216,598
1824—25... ..	4,079,818	5,610,803	9,690,621
1825—26... ..	3,655,673	5,677,862	9,333,535
1826—27... ..	3,436,083	5,234,135	8,670,218
1827—28... ..	4,219,917	6,400,809	10,620,726
1828—29... ..	3,709,510	5,204,515	8,914,025
1829—30... ..	3,468,613	5,668,688	9,137,301
1830—31... ..	3,338,665	5,417,716	8,756,381
1831—32... ..	2,800,815	5,818,172	8,618,987
1832—33... ..	2,509,301	5,669,477	8,178,778
1833—34... ..	2,569,445	5,552,034	8,121,479
1834—35... ..	2,949,431	4,590,902	7,440,333
1835—36... ..	3,155,898	5,989,431	9,145,329
1836—37... ..	4,042,907	7,401,036	11,443,943
1837—38... ..	4,171,564	7,554,488	11,726,052
1838—39... ..	4,400,000	7,337,691	11,737,691
1839—40... ..	5,639,232	7,382,419	13,021,651
1840—41... ..	6,392,825	8,809,871	15,202,696
1841—42... ..	6,168,092	8,762,765	14,930,857
1842—43... ..	6,273,308	7,923,502	14,196,810
1843—44... ..	6,929,386	10,601,683	17,531,069
1844—45... ..	8,487,961	10,527,307	19,015,268
1845—46... ..	6,966,348	10,601,269	17,567,617
1846—47... ..	7,230,511	9,894,849	17,125,360
1847—48... ..	6,186,565	9,343,200	15,529,765
1848—49... ..	6,392,109	10,201,458	16,593,567
1849—50... ..	7,369,012	11,150,566	18,519,578
1850—51... ..	7,935,967	10,818,058	18,754,025
1851—52... ..	10,226,007	11,111,770	21,337,777
1852—53... ..	9,394,283	12,114,686	21,508,969
1853—54... ..	8,219,888	11,546,224	19,766,112
1854—55... ..	7,758,258	12,067,344	19,825,602
1855—56... ..	14,367,942	13,888,391	28,256,333

The Report of External Commerce of Bombay for 1855-56 contains the following table for the same period, but it is confined to the trade with the United Kingdom :—

Abstract Statement of the value of Trade between the Port of Bombay and the United Kingdom, since the opening of the Trade, exclusive of the Company's Investments, from 1813-14 to 1855-56.

No.	Years.	Imports.	Exports and Re-exports.
		£	£
1	1813—14...	92,698	305,154
2	1814—15...	139,865	277,589
3	1815—16...	230,329	259,467
4	1816—17...	298,459	201,846
5	1817—18...	489,519	476,000
6	1818—19...	709,023	773,615
7	1819—20...	560,250	568,060
8	1820—21...	361,621	148,972
9	1821—22...	439,420	253,839
10	1822—23...	562,471	524,650
11	1823—24...	557,131	595,385
12	1824—25...	502,404	588,783
13	1825—26...	430,242	649,246
14	1826—27...	495,587	393,881
15	1827—28...	819,693	568,592
16	1828—29...	781,248	833,767
17	1829—30...	911,606	547,329
18	1830—31...	1,106,636	684,009
19	1831—32...	902,315	636,026
20	1832—33...	1,108,268	1,041,773
21	1833—34...	904,239	1,018,479
22	1834—35...	940,584	969,547
23	1835—36...	1,248,196	1,461,700
24	1836—37...	1,324,191	1,352,931
25	1837—38...	1,127,911	854,427
26	1838—39...	1,117,765	764,969
27	1839—40...	1,387,373	1,190,846
28	1840—41...	1,946,290	1,663,180
29	1841—42...	1,723,923	1,836,709
30	1842—43...	1,947,865	1,350,405
31	1843—44...	2,433,571	1,704,674
32	1844—45...	2,415,978	1,229,692
33	1845—46...	1,743,268	911,308
34	1846—47...	1,520,328	1,382,111
35	1847—48...	1,358,888	1,195,863
36	1848—49...	1,599,361	1,243,111
37	1849—50...	2,721,204	1,871,417
38	1850—51...	2,866,009	2,406,557
39	1851—52...	2,684,598	1,647,677
40	1852—53...	2,931,975	2,938,595
41	1853—54...	3,161,530	2,655,482
42	1854—55...	3,253,453	2,395,412
43	1855—56...	3,195,012	3,413,780

The East India Company was a corporation of considerable influence and importance, when its exports were (in 1689) 4,520 tons in eleven vessels to "India, the South Seas and China." Its progress subsequently is, in some measure, traced in the able review of the External Commerce of Bengal published in 1830, by Mr. J. Bell, then of the Calcutta Custom House. But a new and complete review of the whole Commerce of the whole of India, at the present time, would be entitled to general attention, and is now much required. Sufficient materials, however, are supplied by the Parliamentary Reports to enable us to obtain a general impression of the course and tendency of the country's commercial developement. The Third Report of the Lords' Committee on Indian Territories in 1852-53, has a series of valuable appendices prepared by the Court of Directors. It is there stated that in the preceding years, India might be said to have enjoyed Free Trade by the abolition of Transit or Inland Duties, the removal of the Export Duties on Sugar and Cotton, and the equalization of the Duties on British and Foreign Ships. The total trade of India in the year following the Charter Act of 1833, and the year 1849-50, (which was selected probably, because it was the latest for which complete accounts had been received) was thus stated :—

IMPORTS.

	<i>Merchandise.</i>	<i>Treasure.</i>	<i>Total.</i>
1834-35	£ 4,261,106	£1,893,023	£ 6,154,129
1849-50	£ 10,299,888	£3,396,807	£ 13,696,695

EXPORTS.

1834-35	£ 7,993,420	£ 194,740	£ 8,188,160
1849-50	£ 17,312,299	£ 971,244	£ 18,283,543

A valuable table follows, showing the progress in detail in these years. We again give the amounts in sterling money at two shillings the rupee :—

Value of the Imports into India from the United Kingdom and other Countries, from 1834-35 to 1849-50.

Years.	MERCHANDISE.			Treasure.
	United Kingdom.	Other Countries.	Total.	
1834-35	£ 2,682,221	£ 1,578,884	£ 4,261,105	£ 1,893,023
1835-36	3,135,410	1,646,437	4,781,847	2,146,465
1836-37	3,830,504	1,706,486	5,536,990	2,036,167
1837-38	3,210,663	1,821,807	5,032,470	2,640,101
1838-39	3,505,930	1,784,746	5,240,676	3,010,919
1839-40	4,289,489	1,541,747	5,831,236	1,945,264
1840-41	6,014,339	2,401,600	8,415,939	1,786,253
1841-42	5,439,564	2,349,000	7,788,564	1,841,335
1842-43	5,354,901	2,248,701	7,603,602	3,443,291
1843-44	6,347,349	2,470,448	8,817,797	4,794,678
1844-45	7,952,179	2,301,886	10,754,065	3,752,471
1845-46	6,477,143	2,610,386	9,087,479	2,495,958
1846-47	6,420,404	2,476,260	8,896,664	2,939,922
1847-48	5,790,228	2,807,388	8,597,616	1,973,391
1848-49	5,512,110	2,832,693	8,344,803	4,204,503
1849-50	7,578,980	2,720,907	10,299,887	3,396,807

Value of the Exports into the United Kingdom and other Countries in each year, from 1834-35 to 1849-50.

Years.	MERCHANDISE.			Treasure.
	United Kingdom.	Other Countries.	Total.	
1834-35	£ 3,056,978	£ 4,936,447	£ 7,993,420	£ 194,740
1835-36	3,975,303	7,131,194	11,106,497	108,109
1836-37	4,915,470	8,324,713	13,240,183	263,934
1837-38	4,353,822	6,888,958	11,242,780	340,656
1838-39	4,513,159	7,261,610	11,774,769	347,905
1839-40	5,969,951	4,892,793	10,862,744	470,523
1840-41	7,054,388	6,401,196	13,455,584	366,485
1841-42	7,120,748	6,704,469	13,825,217	515,075
1842-43	5,820,965	7,730,858	13,551,823	215,796
1843-44	7,760,128	9,493,348	17,253,476	746,076
1844-45	7,240,619	9,349,592	16,590,211	1,106,340
1845-46	6,658,943	10,369,730	17,028,673	816,028
1846-47	6,511,686	8,843,751	15,355,437	713,869
1847-48	5,683,826	7,628,570	13,312,396	1,426,038
1848-49	6,191,959	9,896,542	16,088,501	2,539,742
1849-50	7,026,470	10,285,828	17,312,298	971,244

Continuing this table with the details of trade with the United Kingdom for the succeeding six years, we have the following results :—

Value of the Imports from the United Kingdom and other Countries in each year, from 1850-51 to 1855-56.

Years.	MERCHANDISE.			Treasure.
	United Kingdom.	Other Countries.	Total.	
1850-51.	£	£	£	£
Bengal.....	5,274,930	1,378,794	6,653,724	1,149,233
Madras.....	545,648	808,844	1,354,492	604,243
Bombay.....	2,838,189	3,491,341	6,329,530	2,399,530
	8,658,767	5,678,979	14,337,746	4,153,006
1851-52.				
Bengal.....	5,965,218	1,428,073	7,493,291	2,496,315
Madras.....	511,246	831,007	1,342,253	617,914
Bombay.....	2,655,613	3,207,732	5,863,345	2,459,032
	9,132,077	5,466,812	14,698,889	5,573,311
1852-53.				
Bengal.....	4,502,610	1,030,950	5,533,560	3,496,623
Madras.....	489,415	838,345	1,327,760	1,087,811
Bombay.....	2,642,515	3,502,706	6,145,222	2,866,703
	7,634,540	5,372,001	13,006,542	7,451,137
1853-54.				
Bengal.....	5,137,117	930,447	6,067,564	2,152,322
Madras.....	650,012	985,221	1,635,233	1,106,029
Bombay.....	2,955,107	3,219,716	6,174,824	2,263,538
	8,742,236	5,135,384	13,877,611	5,521,889
1854-55.				
Bengal.....	5,343,338	1,720,034	7,063,372	694,886
Madras.....	792,338	1,120,158	1,912,496	648,195
Bombay.....	3,426,239	3,061,507	6,487,747	1,337,478
	9,561,915	5,901,699	15,463,615	2,680,559
1855-56.				
Bengal.....	6,692,294	1,664,523	8,356,717	6,011,225
Madras.....	981,231	1,132,156	2,313,387	1,371,669
Bombay.....	2,999,420	3,704,502	6,603,923	4,973,380
	10,672,945	6,501,181	17,274,027	12,356,274

Value of the Exports to the United Kingdom and other Countries in each year, from 1850-51 to 1855-56.

Years.	MERCHANDISE.			Treasure.
	United Kingdom.	Other Countries.	Total.	
1850-51.	£	£	£	£
Bengal.....	4,937,470	5,512,476	10,449,946	278,142
Madras	752,664	1,811,118	2,563,782	119,769
Bombay	2,406,554	4,958,344	7,364,898	654,674
	8,096,688	12,281,938	20,378,626	1,052,585
1851-52.				
Bengal.....	4,937,470	5,512,476	10,449,946	278,142
Madras	697,589	1,793,933	2,496,522	234,269
Bombay	1,647,430	6,887,969	8,535,399	955,396
	7,282,489	14,199,378	21,481,867	1,467,807
1852-53.				
Bengal.....	4,377,834	6,836,261	11,214,095	507,997
Madras	1,101,588	2,183,460	3,285,048	415,383
Bombay	2,938,595	5,426,742	8,365,337	1,092,323
	8,418,017	14,446,463	22,864,480	2,015,693
1853-54.				
Bengal.....	3,803,142	7,258,013	11,061,155	485,069
Madras	1,046,902	1,950,833	2,997,735	1,069,482
Bombay	2,655,482	5,327,011	7,982,493	1,524,695
	7,505,526	14,535,857	22,041,383	3,079,246
1854-55.				
Bengal.....	3,877,568	7,638,765	11,516,333	551,011
Madras	697,979	1,696,829	2,394,808	810,043
Bombay	2,363,468	5,102,314	7,465,782	704,099
	6,939,015	14,437,908	21,012,223	2,065,155
1855-56.				
Bengal.....	4,943,547	8,689,483	13,633,030	255,361
Madras	975,221	1,941,869	2,917,090	441,875
Bombay	3,413,780	5,529,118	8,943,898	1,349,016
	9,332,548	16,160,470	25,494,018	2,046,252

And the following is a memorandum of some of the items included in the trade from Bengal to other countries than Great Britain, as taken from Mr. Bonnaud's *Commercial Annual* of Calcutta:—

MERCHANDISE. FRANCE.

	Imports.	Exports.
1854-55.....	£ 139,494	£ 437,975
1855-56.....	£ 249,496	£ 753,772

NORTH AMERICA.

	<i>Imports.</i>	<i>Exports.</i>
1854-55.....	£ 120,154	£ 876,508
1855-56.....	£ 89,548	£ 1,033,840

CHINA.

1854-55.....	£ 240,395	£ 3,306,621
1855-56.....	£ 201,562	£ 3,284,884

NEW HOLLAND AND SYDNEY.

1854-55.....	£ 51,483	£ 116,178
1855-56.....	£ 34,796	£ 148,786

SINGAPORE.

1854-55.....	£ 81,958	£ 501,793
1855-56.....	£ 80,830	£ 572,158

ARABIAN AND PERSIAN GULFS.

1854-55.....	£ 75,136	£ 106,457
1855-56.....	£ 65,517	£ 108,467

MADRAS AND COROMANDEL COAST.

1854-55.....	£ 125,510	£ 221,282
1855-56.....	£ 104,547	£ 185,574

BOMBAY AND MALABAR COAST.

1854-55.....	£ 207,644	£ 472,781
1855-56.....	£ 210,576	£ 456,657

PEGU.

1854-55.....	£ 102,064	£ 305,926
1855-56.....	£ 95,131	£ 378,810

MAURITIUS.

1854-55.....	£ 5,377	£ 202,279
1855-56.....	£ 3,923	£ 193,409

BOURBON.

1854-55.....	£ 5,097	£ 87,206
1855-56.....	£ 3,918	£ 171,478

Having regard in the foregoing tables to the official values as therein recorded, and not to the actual values and the charges which have to be added to the real values of the Exports, it might appear that the balance of trade to Great Britain was against India. But a consideration of the whole case will alter that opinion. And it is manifest as to other countries, that a very large amount has to be paid to India in Bullion, or other remittances, beyond the Merchandize imported. This would be

still more plain, were we to enter into the details of the trade of the other Presidencies; particularly that of Bombay with China.

The question then occurs, how these payments are in fact made? The answer seems to be that by Exchange operations, negotiated chiefly in Great Britain, the balance is adjusted by the remittances of the Company's Bills to the amount of about three millions and a half annually, and by extensive Shipments of Treasure. In effect, as to China, Great Britain pays India for the Opium exported thither. The Chinese ship to Great Britain, Tea and Silk, to a great amount, without taking anything like a corresponding amount of British Manufacture in return. They receive their payment for these Exports to a large extent, in the seventy thousand chests of Opium they import. In other words, the British Importer of Silk and Tea provides in return, Opium, for which he must pay India in Merchandize, the Company's Bills, or Treasure. If to this branch of the trade we add the consideration of the balances which have to be adjusted between India and France, the United States, Australia, Mauritius, Bourbon, and Singapore, we shall not be surprised at the increasing Import of Treasure into India, but rather may reasonably anticipate both a continuance and augmentation of it.

A very curious and interesting subject remains, in the consideration of the progress made in the export of particular articles. The Appendix to the Report of the Committee of the House of Commons, from which we took the account of the tonnage, has some tables which shew both the quantities received at Calcutta from the interior of the Presidency of Bengal; and the quantities exported, in some instances, as far back as 1795.

The following are some of the results:—

COTTON.

Received.

1812-13 (the earliest return of the quantity received)	Cwts.*75,086	about 3,750 tons.
1817-18.....	783,411	„ 39,000 „
1822-23.....	158,167	„ 8,000 „
1827-28.....	566,852	„ 28,000 „
1829-30 (the latest return)	202,974	or 10,000 „

The largest export seems to have been in 1826-27, namely

* The return is given in Cwts. of eighty-two Bazar Maunds, or seventy-eight Factory Maunds, to the Cwt.

365,639 Cwts. or about 18,000 tons—a large part being for China.

Gunnies and Gunny Bags.

1812-13	4,334,288 pieces.
1817-18	5,743,005 „
1822-23	3,228,451 „
1827-28	5,031,133 „
1829-30 (the latest return)	5,238,142 „

The return of exports extends back to 1795-96, and presents the following result :—

1795-96	100,375 pieces.
1799-1800	142,575 „

Then till 1823-24, the number of bales only is mentioned, and it affords no certain test; but the detail of pieces is resumed in 1823-24, and the totals, after that year, are thus stated :—

1823-24	609,040 pieces.
1824-25	711,315 „
1825-26	1,105,148 „
1826-27	1,420,804 „
1827-28	819,483 „
1828	1,013,277 „
1829	9,006,415 „

LAC OF SORTS.

Including, apparently, Lac Lake, Lac Dye, Shell Lac, Stick Lac, and Seed Lac.

Received at Calcutta.

1812-13	13,125 cwts.
1817-18	16,205 „
1822-23	5,986 „
1827-28	9,586 „
1829-30 (the latest return)	14,596 „

The Exports were :—

1795 of Lac and Shell Lac..50 maunds (of 82 lbs. to the maund.)
1799-1800 of all kinds ..5,212 maunds.

Then there is no return till 1823-24, when 14,190 maunds of Lac and Shell Lac were exported. In 1828-29, the amount was 18,965 maunds of Lac and Shell Lac, and 1,985 of Stick Lac, and Seed Lac.

There is no account of the quantity of Jute received—but the quantity exported is mentioned in 1795-96 as 1,780 maunds, then there is no record of any other shipment, till 1826, when 6,061

JUNE, 1857.

maunds were exported, and in 1828-29, the quantity reached 14,565 maunds.

The following are notes of other articles now in extensive request:—

Received at Calcutta.

CASTOR OIL.

1823-24 (the first return)	3,508	cwts.
1825-26	8,818	"
1829-30 (the last return in this series)	4,313	"

OIL SEEDS.

1813-14 (the first return)	241,798	cwts.
1819-20	292,470	"
1823-24	289,332	"
1829-30	367,249	"

OPIUM.

1819 (the first return)	4,069	chests.
1824-25	7,390	"
1828-29	7,709	"
1829-30	8,778	"

SAFFLOWER.

1812 (first return)	3,079	cwts.
1817	2,350	"
1822-23	8,417	"
1827-28	3,692	"
1829-30	2,299	"

SALTPETRE.

1812-13	17,899	cwts.
1817-18	127,315	"
1822-23	198,871	"
1827-28	224,902	"
1829-30	235,712	"

SEEDS OF SORTS.

1812-13	292,025	cwts.
1817-18	25,800	"
1822-23	19,234	"
1827-28	15,498	"
1829-30	16,519	"

SILK.

1812-13 (the first return)	7,996	cwts.
1817-18	6,861	"
1822-23	12,456	"
1827-28	12,654	"
1829-30	13,054	"

SUGAR.

1812-13 (the first return)	120,180	cwts.
1817-18	345,273	"
1822-23	293,508	"
1827-28	197,702	"
1829-30	366,239	"

Of ~~some~~ articles the value only could be given. Among these, were Skins and Hides. The value of the quantities that were received at Calcutta was 290,049 Sicca Rupees, in 1823-24. equivalent then, to more than £30,000. Afterwards the value fell, and in 1829-30, it was only 94,000 rupees, or about £10,000.

The quantities exported of these articles may be stated as follows, as far as the tables afford information :—

SEEDS (*apparently all kinds except Indigo Seed.*)

1795-96 (the first return)	2,192	mds.
1823-24	1,295	"
1828-29	5,919	"
1829-30	2,939	"

The returns are imperfect from 1799-1800 to 1823-24, and it is not stated, if these are Bazar or Factory Maunds.

OPIUM.

1795-96 (the first return)	5,183	chests.
1800-1	4,788	"
1805-6	3,567	"
1810-11	4,909	"
1815-16	3,848	"
1820-21	5,147	"
1825-26	5,155	"
1829-30	9,678	"

SAFFLOWER.

1823-24 (the first return)	8,378	mds.
1828-29	3,040	"
1829-30	2,455	"

SALTPETRE.

1795	13,175	bags.
1800-1	25,188	"
1805-6	24,301	"
1810-11	947	"
1815-16	62,630	"
1820-21	175,143	"
1825	452,162	"
1829-30	176,062	"

SILK.

1795-96	109 mds.
1799-1800	1,899 „

The returns are incomplete till

1823-24	11,579 mds.
1828-29	18,724 „
1829-30	16,045 „

SUGAR.

1795.....	110,800 Bz. mds. of 82 lbs.
1799.....	240,004 „

The returns here also are incomplete.

1823-24.....	275,288 Bz. mds.
1828-29.....	361,871 „
1829-30.....	181,799 „

It would lead us into needless and excessive minuteness to enter into the details of other Presidencies. But as to Bengal, with a view to a fair comparison of progress in recent years, we may state some data as given by Mr. Bell, in the order in which he places them. We omit Indigo, because the production for many years has not substantially varied, except by the fluctuation of the seasons; and it may be doubted, if there is the prospect of a largely increased demand for it from Bengal.

SUGAR EXPORTED.

1824-25	226,047 Bz. mds. value £	189,657
1825-26	191,146 „	153,103
1826-27	229,494 „	184,371
1827-28	105,346 „	84,482
1828-29	251,977 „	206,333

SALTPETRE.

1824-25	179,966 Bz. mds.	£ 101,225
1825-26	295,208 „	172,007
1826-27	293,999 „	170,677
1827-28	302,659 „	180,685
1828-29	260,611 „	100,219

RAW COTTON.

1824-25	119,315 Bz. mds.	£ 119,318
1825-26	92,879 „	92,882
1826-27	183,935 „	183,935
1827-28	6,717 „	6,576
1828-29	25,256 „	20,129

RAW SILK.

1824-25	4,815 Bz. mds.	£ 123,933
1825-26	6,045 „	158,696
1826-27	2,734 „	71,916
1827-28	2,496 „	65,095
1828-29	6,543 „	178,152

LAC DYE.

1824-25	8,663 Bz. mds.	£ 79,137
1825-26	9,308 „	80,071
1826-27	8,975 „	82,092
1827-28	9,046 „	73,722
1828-29	7,264 „	47,399

SHELL LAC.

1824-25	10,742 Bz. mds.	£ 18,564
1825-26	9,053 „	16,832
1826-27	3,815 „	7,670
1827-28	5,542 „	10,868
1828-29	8,399 „	15,656

OPIUM.

1824-25	6,850 Chests.	£ 876,669
1825-26	4,833 „	798,132
1826-27	5,462 „	872,989
1827-28	7,377 „	1,122,889
1828-29	7,324 „	1,049,649

SAFFLOWER.

1824-25	8,448 Bz. mds.	£ 29,065
1825-26	7,100 „	24,515
1826-27	3,461 „	7,397
1827-28	1,801 „	3,546
1828-29	2,271 „	5,607

CASTOR OIL.

1824-25	2,762 Bz. mds.	£ 4,202
1825-26	2,914 „	5,157
1826-27	1,188 „	2,108
1827-28	1,285 „	2,147
1828-29	3,179 „	4,941

GRAIN, INCLUDING RICE, WHEAT, AND PADDY.

1824-25	1,279,934 Bz. mds.	£ 224,163
1825-26	1,611,023 „	233,573
1826-27	1,027,949 „	176,845
1827-28	1,239,728 „	201,173
1828-29	1,227,237 „	210,574

GUNNY AND GUNNY BAGS.

1824-25.....	935,245 pieces	£ 7,006
1825-26.....	1,965,442 „	16,215
1826-27.....	2,183,098 „	16,845
1827-28.....	1,343,129 „	13,277
1828-29.....	2,205-206 „	16,610

HIDES AND SKINS.

1824-25.....	377,294 pieces	£9,414
1825-26.....	322,391 „	9,334
1826-27.....	18,043 „	1,022
1827-28.....	48,530 „	2,227
1828-29.....	264,672 „	3,551

All the preceding tabular calculations are based on two shillings to a rupee; but as the rupees up to 1836 were Sicca Rupees (worth about 6 per cent. more than the Company's), and the exchange at times carried a rupee nearly up to two shillings and six pence, some considerable additions may be made to the amounts we have given. Perhaps twenty per cent. for the whole period will be an excessive average to add; but the table which we next present, (even if that valuation be made of the preceding shipments from 1792), will scarcely exhibit a less striking contrast. The tables we propose to give include all the articles we have just been considering, and for all the range of years from 1833 to 1856, two shillings was a fair average for the rupee.

CASTOR OIL.

1833-34.	1834-35.	1835-36.
Maunds....*6,091	Maunds .. 11,463	Maunds .. 12,435
Value.....£9,349	Value ....£17,101	Value ....£16,748
1843-44.	1844-45.	1845-46.
Maunds .. 11,267	Maunds .. 22,701	Maunds .. 21,763
Value ....£11,259	Value ....£22,700	Value ....£21,732
1853-54.	1854-55.	1855-56.
Maunds .. 19,011	Maunds ... 25,370	Maunds .. 44,702
Value ....£13,823	Value ....£18,655	Value .. ..£35,774

RAW COTTON.

1833-34.	1834-35.	1835-36.
Maunds.. 143,553	Maunds... 336,827	Maunds .. 583,762
Value ..£143,250	Value ....£314,613	Value ....£587,292
1843-44.	1844-45.	1845-46.
Maunds... 201,457	Maunds... 201,874	Maunds.. 93,771
Value ...£202,514	Value ....£201,874	Value.....£ 93,516

* These are all Indian maunds of eighty pounds.

1853-54.	1854-55.	1855-56.
Maunds.. 199,558	Maunds.. 91,347	Maunds... 173,908
Value ...£199,363	Value.. .. £91,353	Value ....£173,853

LAC DYE.

1833-34.	1834-35	1835-36.
Maunds.... 9,590	Maunds..... 8,390	Maunds..... 12,066
Value .....£22,216	Value .....£19,692	Value .....£31,603

1843-44.	1844-45.	1845-46.
Maunds..... 16,881	Maunds.... 22,352	Maunds.... 17,934
Value .....£25,201	Value £44,213	Value .....£35,841

1853-34.	1854-55.	1855-56.
Maunds..... 35,481	Maunds..... 17,525	Maunds..... 27,995
Value .....£88,594	Value .....£46,078	Value .....£81,591

LAC (SHELL.)

1833-34.	1834-35.	1835-36.
Maunds..... 26,056	Maunds..... 19,890	Maunds..... 33,935
Value .....£60,412	Value .....£47,384	Value .....£72,409

1843-44.	1844-45.	1845-46.
Maunds..... 38,446	Maunds..... 42,626	Maunds..... 33,179
Value .....£30,857	Value .....£38,196	Value .....£29,919

1853-54.	1854-55.	1855-56.
Maunds.....55,272	Maunds..... 47,225	Maunds..... 47,974
Value .....£50,931	Value .....£42,491	Value .....£43,458

LAC (STICK.)

1833-34.	1834-35	1835-36.
Maunds 104	Maunds 82	Maunds.... 1,470
Value£ 199	Value£ 85	Value£ 1,570

1843-34.	1844-45.	1845-46.
Maunds 770	Maunds 313	Maunds 831
Value£ 269	Value£ 109	Value£ 288

1853-54.	1854-55.	1855-56.
Maunds 748	Maunds.... 1,574	Maunds 1,606
Value£ 429	Value £1,036	Value .....£1,263

GUNNIES' CLOTHS AND BAGS.

1833-34.	1834-35.	1835-36.
Pieces ... 2,615,975	Pieces... 2,442,109	Pieces ... 2,287,893
Value ...£ 19,567	Value...£ 19,835	Value ...£ 24,094

1843-44.	1844-45.	1845-46.
Pieces .. 5,761,424	Pieces .. 6,041,483	Pieces... 5,819,610
Value .. £68,849	Value ... £76,213	Value... £69,235
1853-54.	1854-55.	1855-56.
Pieces... 14,460,461	Pieces... 11,162,170	Pieces... 20,221,016
Value... £249,534	Value... £297,456	Value... £430,732

HIDES AND SKINS.

1833-34.	1834-35.	1835-36.
Pieces... 1,251,577	Pieces... 1,146,782	Pieces... 1,549,492
Value ... £60,004	Value... £78,861	Value... £98,747
1843-44.	1844-45.	1845-46.
Pieces... 2,760,691	Pieces... 3,127,250	Pieces... 2,872,018
Value... £259,348	Value... £263,978	Value... £237,875
1853-54.	1854-55.	1855-56.
Pieces... 5,059,263	Pieces... 4,658,199	Pieces... 4,788,129
Value... £360,502	Value... £348,522	Value... £368,888

JUTE.

1833-34.	1834-35.	1835-36.
Maunds... 67,805	Maunds... 33,851	Maunds... 16,916
Value..... £12,619	Value.... £5,610	Value..... £3,463
1843-44.	1844-45.	1845-46.
Maunds... 294,599	Maunds... 352,705	Maunds... 293,497
Value.... £55,293	Value..... £57,562	Value..... £45,518
1853-54.	1854-55.	1855-56.
Maunds... 660,548	Maunds... 904,002	Maunds... 1,194,470
Value ... £155,715	Value ... £227,721	Value.. £327,476

LINSEED.

1833-34.	1834-35.	1835-36.
Nil.	Maunds... 77,791	Maunds... 163,190
„	Value.... £16,412	Value... £33,603
1843-44.	1844-45.	1845-46.
Maunds... 210,026	Maunds... 244,785	Maunds... 255,926
Value.... £42,003	Value..... £48,975	Value..... £51,188
1853-54.	1854-55.	1855-56.
Maunds... 982,399	Maunds. 2,436,326	Maunds. 2,538,225
Value ... £196,492	Value... £487,267	Value... £507,824

MUSTARD SEED.

1833-34.	1834-35.	1835-36.
Nil.	Nil.	Nil.
1843-44.	1844-45.	1845-46.
Maunds... 52,037	Maunds... 61,671	Maunds... 120,202
Value..... £10,407	Value..... £12,334	Value ... £24,019
1853-54.	1854-55.	1855-56.
Maunds... 202,026	Maunds... 575,453	Maunds. 1,307,115
Value..... £40,520	Value ...£103,066	Value... £261,541

POPPY SEED.

1833-34.	1834-35.	1835-36.
Nil.	Nil.	Nil.
1843-44.	1844-45.	1845-46.
Nil.	Nil.	Nil.
1853-54.	1854-55.	1855-56.
Maunds... 65,986	Maunds... 133,170	Maunds... 114,526
Value..... £13,257	Value..... £26,634	Value..... £22,932

OPIUM.

1833-34.	1834-35.	1835-36.
Chests... 12,006	Chests... 10,995	Chests... 14,851
Value...£1,240,382	Value...£1,079,549	Value... £1,765,768
1843-44.	1844-45.	1845-46.
Chests... 17,774	Chests... 18,792	Chests ... 20,481
Value.. £2,338,305	Value... £2,439,429	Value...£2,795,966
1853-54.	1854-55.	1855-56.
Chests... 40,787	Chests... 51,421	Chests ... 44,937
Value...£3,690,208	Value...£3,694,816	Value...£3,638,917

RICE.

1833-34.	1834-35.	1835-36.
Maunds . 2,667,465	Maunds . 2,126,978	Maunds. 1,455,316
Value .....£461,455	Value ... £322,269	Value .....£172,745
1843-44.	1844-45.	1845-46.
Maunds...2,454,352	Maunds . 2,377,565	Maunds . 3,443,223
Value .....£337,879	Value..... £339,405	Value .....£543,639
1853-54.	1854-55.	1855-56.
Maunds . 4,380,903	Maunds . 5,273,964	Maunds 9,187,259
Value .....£518,384	Value..... £567,455	Value ...£1,047,133

JUNE, 1857.

F 1

WHEAT.

1833-34.	1834-35.	1835-36.
Maunds... 114,365	Maunds... 211,776	Maunds... 201,238
Value..... £16,400	Value £28,587	Value..... £27,147
1843-44.	1844-45.	1845-46.
Maunds... 137,139	Maunds... 164,022	Maunds... 187,414
Value..... £ 21,458	Value ... £24,564	Value ... £29,701
1853-54.	1854-55.	1855-56.
Maunds... 252,314	Maunds... 462,078	Maunds... 950,036
Value ... £28,978	Value..... £48,739	Value ... £100,469

OTHER GRAIN.

Paddy, Gram, Dholl and Peas, Oats, Flour, Barley, and Bran.

1833-34.	1834-35.	1835-36.
Maunds... 137,673	Maunds... 175,414	Maunds... 72,570
Value ... £27,040	Value ... £31,587	Value ... £10,240
1843-44.	1844-45.	1845-46.
Maunds... 148,127	Maunds... 129,532	Maunds... 176,464
Value..... £22,260	Value..... £16,351	Value ... £24,963
1853-54.	1854-55.	1855-56.
Maunds... 238,425	Maunds... 563,142	Maunds... 665,553
Value..... £36,000	Value ... £58,593	Value £59,420

SAFFLOWER.

1833-34.	1834-35.	1835-36.
Maunds... 7,630	Maunds... 8,490	Maunds... 7,801
Value..... £18,763	Value..... £20,580	Value ... £18,225
1843-44.	1844-45.	1845-46.
Maunds..... 5,858	Maunds... 11,323	Maunds... 20,298
Value..... £8,202	Value..... £21,939	Value..... £42,184
1853-54.	1854-55.	1855-56.
Maunds... 27,491	Maunds... 26,179	Maunds... 15,495
Value..... £68,684	Value..... £68,270	Value..... £30,766

SALTPETRE.

1833-34.	1834-35.	1835-36.
Maunds... 490,554	Maunds... 368,308	Maunds... 408,001
Value ... £254,801	Value..... £187,003	Value £203,079
1843-44.	1844-45.	1845-46.
Maunds... 514,011	Maunds... 586,976	Maunds... 618,560
Value..... £270,145	Value..... £316,003	Value £350,649

1853-54.	1854-55.	1855-56.
Maunds... 872,886	Maunds... 796,243	Maunds... 737,273
Value.....£497,950	Value .....£458,109	Value .....£423,406

SUGAR.

1833-34.	1834-35.	1835-36.
Maunds... 290,363	Maunds... 358,515	Maunds... 368,760
Value.....£230,822	Value .....£279,059	Value .....£285,215
1843-44.	1844-45.	1845-46.
Maunds . 1,524,548	Maunds . 1,539,117	Maunds . 1,893,937
Value...£1,460,464	Value...£1,469,195	Value £1,789,318
1853-54.	1854-55.	1855-56.
Maunds... 942,391	Maunds . 1,212,077	Maunds . 1,221,393
Value .....£844,738	Value...£1,123,507	Value..£1,134,154

These figures will show the expansive power of the Bengal trade. In respect of Sugar in particular, it is probable, that had not slave-grown sugar been admitted into the United Kingdom, the annual export would, by this time, have reached the value of five millions sterling, with the prospect and capability of an indefinite increase. In other articles, (Seeds, Jute, Saltpetre, Opium, and Rice), it will be seen that the increase has already been extraordinary. In some years, a sudden increase, consequent on an unexpected demand, has occurred in articles which previously scarcely appeared to be staple products, and the demand has been rapidly met; and so it certainly would be with other articles. The continuance of the Russian war for another year or two, would probably have caused the Export of Hemp, which, in 1854-55, only amounted to £7,800, and rose in 1853-54 (in Hemp and Hemp Twine), to £35,000, and in 1854-55 to £38,000, to become one of the most important branches of trade.

The case of Silk requires special notice. Mr. Bell, in his retrospective view in the work we have already quoted, says: "It is not sufficiently known, that the trade in Bengal Silk, both in its raw and manufactured state, has been almost entirely engrossed by the Company; or at least that portion which falls to the lot of private individuals, has been so much enhanced by the powerful facilities of the former, that as an object of commercial gain, it is impossible to stand the test of competition. It is not difficult to foresee the result which is likely to crown this system of unprofitable trade, pursued with so much avidity by the agents of the Company, who being remunerated in proportion to the quantity of Raw Silk provided, have at once the power of crushing all private enterprise, and, by setting up a strong competition

among themselves, have raised the price to double of what it ought to be and might be."

The effects of this, alike on the manufacturer at home and the trade of India, were manifest. The export we have seen in 1828-29 was 6,543 maunds at a cost of £178,152. The subsequent course of trade was as follows: the Company's trade continuing for a few years with a view to its final extinction.

1833-34.		1834-35.		1835-36.	
Private	3,280 Mds.	Private	6,176 Mds.	Private	10,494 Mds.
Co.'s	10,269 "	Co.'s	8,022 "	Co.'s	4,139 "
	13,549 "		14,198 "		14,633 "
Value...£376,919		Value...£376,927		Value...£384,852	

Company's trade terminated.

1843-44.		1844-45.		1845-46.	
Maunds.....	21,284	Maunds.....	22,343	Maunds.....	19,160
Value	£836,954	Value	£896,008	Value	£764,346
1853-54.		1854-55.		1855-56.	
Maunds.....	20,280	Maunds.....	15,109	Maunds.....	18,229
Value	£831,567	Value	£545,671	Value	£708,822

Here then we see a rising demand, a corresponding supply, higher prices, and profits diffused not among a few commercial agents and their subordinates, to the loss of the East India Company, (as was the case formerly), but among the producers and the legitimate traders.

We cannot in the limits of this review enter more largely into the details of the Bengal trade. But the more salient points may be mentioned; and first as to Arracan. It was a swamp, almost useless and valueless, when first annexed, after the first Burmese war, thirty years ago. Its exports in 1854-55 were £571,473, and in 1855-56 were £1,072,921, almost entirely in Rice:—importing in payment very little besides silver, and that principally through Calcutta.

The *character* of the trade of Calcutta has undoubtedly greatly improved. Private trade by Englishmen was commenced chiefly by Civil Servants and Officers of the Company, who preferred mercantile pursuits and became Bankers or Agents. For many years nearly the whole of the private trade was carried on by their firms, called the Great Houses, and it appeared to be of the most princely and prosperous character. Many partners died very rich, many retired home and occupied positions of great influence, and the establishments both in England and in Calcutta were conducted with a lavish, and perhaps unrivalled mag-

nificence and extravagance. It was usual to make the partners' trustees in all the settlements of their constituents, and great numbers of the servants of government retired home, leaving their fortunes in the hands of those agents, bearing high interest. The first blow to the system occurred on the failure of the greatest of all the firms, Palmer and Co. The others followed in a few years; the aggregate liabilities of the whole of the six houses being fifteen millions sterling. The regime that succeeded was not much, if at all, better. The chief motive power to a considerable portion of the trade, was the Union Bank, which was started with a paid up capital of a million. In 1847, it failed, after having sacrificed that million, and half a million more belonging to depositors and others, in support of five or six other houses whose ruin had preceded its own, or immediately followed as a necessary consequence on its downfall. We have nothing whatever to retract from the statements and sentiments contained in our paper on this whole subject in this *Review*, for April, 1848,* nor do we think that the lessons of that time have hitherto been so perfectly learned, as to render all present reference to them superfluous and unnecessary. It is, we conceive, certain, that nothing occurred in the management at home, of Sir J. D. Paul's Bank, the Royal British Bank, or the London and Eastern Bank, (the management of which has led to the necessity for new and more stringent legislation), which had not in its parallel in the commercial proceedings of many in Calcutta, in the ten years preceding 1848. And if it be right now, for the press in England, to expose that management there, it was equally the duty of the press here, to expose those proceedings here. But we rejoice to know that a far better state of things has followed. There are not a few houses here now, (both British and Foreign) based on large capital, connected with capitalists elsewhere, managed by able and judicious men;—houses as different as it is possible to be, from those of former years, whose extravagance and folly were only equalled by their arrogance and emptiness. The trade here consequently is animated by the genuine spirit of commercial enterprise: enterprise regulated by prudence, and not stimulated to wild speculation by artificial credit. It is a trade expanding with the success of its traders in due proportion and measure; sound, we believe, as the trade of any place that can be mentioned; and destined, we doubt not, to an immense and incalculable advancement. We have seen an end of the days of excessive expenditure, by houses whose insolvency was notorious. But there is still need for peculiar caution, for the fact is noto-

* Calcutta Review, No. xvii, Commercial Morality.

rious, (however it may be accounted for), that very few merchants have retired from Calcutta with any considerable fortunes during the last twenty years.

It is obvious, that in the course of years, the natives of Calcutta, with rapidly increasing wealth and intelligence, will take a more direct and important part in the trade of the country. There are certainly difficulties in their way, but gradually they may be overcome. At present, it is evident that confidence is and must be limited. Public opinion in native society does not punish fraud; the capital of the native trader can always be placed out of sight, when convenient, by pretended sales and transfers, which it is extremely difficult for an European to trace and to detect. And then, too, the almost universal disregard of truth by the natives, and the entire inability of the European to judge with certainty of the actual character and capital of the natives, (from whose social habits and connections, he is so completely estranged,) are causes which introduce into all commercial dealings with them, a painful and continual consciousness of insecurity. But these difficulties may diminish, as experience and civilization prevail; and we hope that higher influences may elevate the native character, and introduce therefore a new element into the trade of India. We may then confidently expect, not only a powerful and wholesome competition with the European merchant, but also an important addition to the development of the resources of the country.

It is also probable, that the natives of the Inner Provinces of Bengal will gradually become more largely embarked in commerce. There is no doubt, that Brahminism is breaking down; education is slowly but surely spreading; the means of inter-communication will increase; new outlets for remote districts will be opened; and the Bengali is by nature an accountant and trader. His soil possesses exuberant fertility; there is an immense extent still untouched by the plough, and untrodden by the foot of man; and there is a population available for every new sphere of labour and profit. It is found already, that the labourers of Eastern Bengal are flocking down to the "Rice Diggings" in Arracan, and returning to enrich their families. A new and most interesting opening of another kind will soon be afforded on the Mutlah. It may be admitted that the dangers of the Hooghly are exaggerated, and that very few vessels under steam have ever been injured there in passing up and down; but the moorings and the stream of Calcutta are hazardous in the freshes, and they will not suffice, if the 1,134 Square Rigged vessels of 1855-56 are increased to 2,000. The city is in fact confined; the canal approach to it is insufficient; and when the railway is opened from the North West, and begins to bring down in increased quantities the products of the interior, there will not be room enough on

the shores on either side of the river for the growing traffic. The proposed new port on the Mutlah, (a branch of the sea running up to an excellent anchorage at about twenty-six miles from Calcutta), is therefore a necessity, and the Railroad to it no less. If that scheme, (already far advanced, and already sufficiently tested by the experiment of Borradaile and Co.,) be carried out with vigour, there will be a new city with its docks, its wharves, and its shipping; a new centre of influence and enterprise; the cultivation of the Sunderbunds with its seven thousand square miles of invaluable soil, now covered with jungle, will produce rice, cotton, and all other native products, in close proximity to the new demand; there will be easy access to the Eastern districts; and an impulse will be given to the commerce of Bengal, exceeding every thing since the Charter Act of 1813, whereby the monopoly of India's trade was abolished.

Another immediate prospect is the developement of the North Western Provinces. Nothing more remarkable than the steady progress of those Provinces, has occurred in recent years in India. The fruits of Mr. Thomason's long period of wise, and systematic, and vigorous Government; the zeal, and energy, and ability of some of the officers of Government there; the animating influence of Mr. Colvin, the present Governor, and his hearty encouragement of all that tends to rouse the people, to improve their condition, and to add force and effectiveness to the administration of public affairs, and the hope of a very early opening of the Railway from Allahabad to Delhi, (long anterior to its completion from Calcutta to Benares)—all tend to the conviction, that very soon the North Western Provinces will become the most active seats of commerce in the empire. The proposition that has been made for a Railway from Cawnpore to Lucknow, and thence through Rohilcund to Bareilly, and other adjacent stations, should, we conceive, meet the unhesitating support of the Court of Directors. The Railway from Mirzapore to Jubbulpore and thence to Bombay, is sanctioned, and will become of immense importance. That from Bombay to Agra, is in progress. It is intended to continue the Delhi line to Peshawar. The occupation of Oude renders the navigation of the Gogra, one of the most interesting and promising openings in the country. The iron discovered in Kumaon, from its great value, indicates the necessity of roads to communicate with the Rohilcund Railway. The cultivation of Tea in the North West, and of Tea and Flax in the Punjab, the mineral resources of the Nerbudda valley, the access by the Railway and though cross roads to Saugor, Bundelkund, Nagpore, and parts of the Nizam's dominions, will afford to the people of our Upper Provinces the assurance of a vast increase of resources. We believe too, that

[The page contains extremely faint, illegible horizontal lines suggesting ghosting or very low-quality scanning.]

vernment is confined to a share of the rent, as it certainly is in every part of India, as far as I know, can have any thing to do with the condition of the people. I believe the poverty of the agricultural population of India is much more attributable to social causes, to the great subdivision of property, and to the great number of people employed in raising the amount of produce, so that the produce is almost consumed by the people who raise it. I believe the great cause or instrument of agricultural wealth is to raise a large quantity of produce with the smallest possible number of hands. In India the state of things is precisely the reverse, and I believe that that, more than any other cause, has led to the comparative poverty of the ryots of India. In fact, the ryot of India is as nearly as possible in the position of the cottier of Ireland, and it is very remarkable that you might take a whole page from a work describing India, and take a whole page describing Ireland, and apply them by a mere mutation of names from one country to the other. * * * * *

"Does not it follow from this, that the poverty, however great it may be, is quite consistent with the contentment of the people?—Yes."

Question by the Hon'ble J. E. Elliot :*—

"You said that the ryots under the perpetual settlement had to shift for themselves: are they in a worse position than the lower class of those who have small holdings in this country? I doubt if they are; I said, I thought they were not so, taking into comparison the climate, and the nature of their wants, and all circumstances being considered."

Mr. Elliot.—"As far as the laws under which they live are concerned, have they not the same means of protecting themselves, as a tenant in this country has, who is oppressed by his landlord? Certainly, the laws take as good care of them as laws can, I think."

"If they do suffer from extortion in any way, it is because they will not take those precautions which are provided for them, or else being of a more helpless nature than Englishmen are, they do not make the same resistance?—Yes."

"But as far as the law is concerned, they have the power, if they choose, to exert themselves to obtain redress? Certainly."

Question put by Hon'ble C. S. Hardinge.†

Mr. Hardinge.—"Can you compare the condition of the ryot in India with the condition of any European cultivators of land or laborers? I think so; the condition of ryots, under the worst circumstances, is marvellously like that of cottiers in Ireland. There is an article in the *Edinburgh Review* on Railways in Ireland, from which you might transfer whole pages to the condition of the ryot in India. The other day, I met Sir Thomas Redington, and without my expressing any opinion on the subject, he told me that he had been struck

* A retired Bengal Civilian.

† Private Secretary to Lord Hardinge, when Governor General.

JUNE, 1857.

with the similarity of what he had read of the condition of the ryot in India to the condition of the peasant in Ireland."

"Is not misery in Ireland somewhat different from the supposed misery in India, in as much as in Ireland a man is considered very poor, if he has not clothes to cover him, but in India a man is comparatively well off with hardly any? I said, considering the difference of the climate and their wants, I think that, under the worst circumstances, they are quite as well off. The circumstances which cause famine in India and in Ireland are precisely the same: each man depends upon the cultivation of his own little patch of land, and if that fails in any year, he has nothing to fall back on; when he has sold his cattle, and the gold ornaments of his wives and children, he must starve."

"Is not it the case, that the ryots want little, consume little, and wear little or no clothing? Yes; and I believe, circumstances considered, they are as well off as the population of the same class in any country in Europe."

Mr. Elliot.—"Is not it the case, that the houses of all the cultivators in the villages in Bengal are infinitely better than the common hovels and huts you see in many parts of England, and certainly, in Ireland and the North of Scotland? They are vastly better than they are in Ireland, and, considering the climate and the wants of the people, as good as in England. A Bengalee village is surrounded with Plantain Gardens, and with Coccanut Gardens, and Gardens for the cultivation of vegetables. I believe, having regard to their wants, they live in comfort and ease."

"Are not the huts themselves better? They are much better, without even allowing for the difference of climate. I have seen absolutely worse huts in Ireland than I have ever seen in India."

Mr. Hardinge.—"Is there not a great degree of neatness in Bengalee villages, as regards keeping up those huts; are they not swept clean, and made to present a comfortable appearance?—Very much so."

"They have always tanks to bathe in, have not they?—Yes."

Now in the petition of the Missionaries of Calcutta, which was printed and laid before that Committee, there was the following rather opposite statement:—

"That your Petitioners have reason to believe that there is a vast amount of social disorganization, and of consequent suffering, in the whole country. Much of this your Petitioners can trace to the fearful superstitions of the people; to their ignorance; and to the debasing effects of a popular mythology, which presents, as objects of worship, deities who are examples of every vice, and which ascribes sanctity and divine honour to a priesthood which is the principal curse of India. But speaking particularly of this great Presidency of Bengal, your Petitioners would represent to your Honorable House the existence of evils, which it falls properly within the scope of Government to meet and to control. The evils resulting from

the religions of the country, your Petitioners believe have been greatly diminished since the commencement of Christian Missions ; and they willingly accord to the Government of India the praise of having abolished Satis, and checked Infanticide, Thuggism and the once prevalent practice of self-immolation. Your Petitioners do not now hear of the terrible occurrences, with which their predecessors were familiar—of women drowning themselves publicly at the junction of the Ganges and the Jumna ; of others sitting in pits to be smothered by heavy baskets of sand ; and of devotees yielding themselves to death in the presence of multitudes, by means which require the active participation of heartless accessories. A more just apprehension of their duty by the Judicial Officers of Government has restrained such suicides, by dealing with the accessories, as guilty of murder ; and the enactment of several wise and salutary laws has restrained the other classes of crimes which your Petitioners have mentioned. Your Petitioners believe, however, that these results must, in a large measure, be ascribed to the growing influence of Christian Missions, which have been blessed, no less in raising the standard of piety and justice among the Europeans in India, than in the enlightenment of the consciences of the natives. But there are other evils with which the Government, as such, has to contend, and which your Petitioners regret to declare, appear to be on the increase. Your Petitioners greatly fear that it will be found, on enquiry, that in many districts of Bengal, neither life nor property is secure ; that gang-robberies of the most daring character are perpetrated annually in great numbers, with impunity ; and that there are constant scenes of violence, in contentions respecting disputed boundaries between the owners of landed estates.

“ That your Petitioners submit to your Honorable House that the radical cause of these evils is the inefficiency of the Police and the Judicial system. Your Petitioners find that the sole protection of the public peace, in many places, is a body of Policemen (called Village Chowkedars,) who are in fact the ministers of the most powerful of their neighbours, rather than the protectors of the people. The body of peace-officers appointed and paid directly by the State will, on enquiry, be found to be entirely insufficient for the great districts for which they are provided ; but few as they are, they, also, will be found to be oppressors of the people. The records of the criminal courts, and the experience of every resident in the districts of Bengal, will bear testimony to the facts that no confidence can be placed in the Police force (either the regular force or the Village Chowkedars) ; that it is their practice to extort confessions by torture ; and that, while they are powerless to resist the gangs of organized burglars or dacoits, they are corrupt enough to connive at their atrocities.

“ That your Petitioners believe that a strict and searching enquiry into the state of the rural population of Bengal would lead your Honorable House to the conclusion, that they commonly live in a state of poverty and wretchedness, produced chiefly by the present system of landed tenures and the extortion of Zemindars, aggra-

vated by the inefficiency and the cruelties of the peace-officers, who are paid by the Chowkedarry tax or by the Government.

"That your Petitioners believe that a well-organized Police; with a more extensive and more effective Judicial system, would do much to check the outrages that arise from disputes about land. But your Petitioners must also ascribe much of the evil which these outrages produce, to the causes by which primarily such disputes are occasioned. Your Petitioners must declare that, from the want of a complete survey of the estates of the country; of a Registration Act to settle titles; and of laws to obviate the infinite mischief of the universal system of Secret Trusts, there is so much uncertainty about the landed tenures and boundaries in Bengal, that capitalists generally dread to purchase such property, and those who do, too frequently keep bodies of club-men, to take and keep by force the extent of land to which they deem themselves entitled. Between contending proprietors; amidst scenes of constant conflict; and a prey to the corruption and the oppression of the Police; the tenant is reduced, not merely to beggary, but also in many cases, to a state of the most abject and pitiable servitude."

Subsequently, in the course of September 1856, the Missionaries memorialized the Hon'ble F. J. Halliday, the Lieut. Governor of Bengal, on the subject of a Commission to enquire into the condition of the people of Bengal. We give their words. After quoting the foregoing extract from their petition of 1852, they say:—

"That a separate Petition, signed by 1,800 Christian inhabitants of Bengal, was presented to Parliament in 1853, in which they stated that "the Police of the Lower Provinces totally fails as respects the prevention of crimes, apprehension of offenders, and protection of life and property; but it is become an engine of oppression and a great cause of the corruption of the people;" "that torture is believed to be extensively practised on persons under accusation:" and that "all the evil passions are brought into play, and ingenuities of all kinds, both by people and Police, are resorted to;" and this Petition also bore strong and emphatic testimony to the wretched condition of the people, and the unsatisfactory state of the Judicial system.

"That your Memorialists noticed with extreme regret that the Parliamentary inquiry into Indian affairs was brought to a close, before this subject of the social condition of the people was opened.

"That, since that period, many circumstances, and particularly many recent publications, have deepened the conviction of your Memorialists, that the social condition of the people of Bengal is deplorable in the extreme, and that the representations in their Petition fell short of the truth.

"That your Memorialists have perused with the deepest interest a Minute by your Honor, on the Police and Criminal Justice in Bengal, in which the existing system is most faithfully and powerfully described. Your Memorialists have noticed particularly the

following statements :—that “for a long series of years, complaints have been handed down from administration to administration, regarding the badness of the Mofussil Police, under the Government of Bengal, and as yet very little has been done to improve it ;”—that “throughout the length and breadth of the country, the strong prey almost universally upon the weak, and power is but too commonly valued, only as it can be turned into money :”—that “it is a lamentable but unquestionable fact that the rural Police, its position, character and stability, as a public institution, have, in the Lower Provinces, deteriorated during the last twenty years ;”—that “the Criminal Judicatories certainly do not command the confidence of the people ;”—that “whether right or wrong, the general native opinion is certainly that the administration of criminal justice is little better than a lottery ; in which, however, the best chances are with the criminal ; and this is also very much the opinion of the European Mofussil community ;”—that “a very small proportion of heinous offenders are ever brought to trial ;”—that “it now appears that half of those brought to trial are sure to be acquitted ;”—and that “peculiar and accidental circumstances, partly temporary and partly arising out of the constitution of the Civil Service, have, at this moment, made the inexperienced condition of the Magistracy more observable than it has ever been before, while it seems certain that the evil during several successive years is likely very seriously to increase ;” and, your Memorialists attach great weight to these remarkable and important declarations.”

The prayer of the Memorial was not granted, and thereupon a Petition embodying that Memorial was presented to the House of Commons by Mr. Kinnaird. In that Petition the Missionaries said :—

“That your Petitioners did not present this Memorial from any doubt of His Honor’s personal familiarity with the social or political state of Bengal ; but your Petitioners were aware that the whole extent of the evils which press upon the people of Bengal was not generally understood, and they hoped that an enquiry conducted by able and conscientious men, would (by authoritatively eliciting and placing on record the real facts of the case) greatly assist the Government in its deliberations, enlighten public opinion, check by its mere publicity the growth of some existing evils, and in many other ways contribute to the welfare of the country.

“That your Petitioners believed that the prayer of their Memorial was so reasonable and moderate, and the necessity for a benevolent and careful investigation into the statements of your Petitioners was so evident, that the Commission for which they applied would be readily granted.

“That your Petitioners would remind your Honorable House that the social condition of the people of this country has rarely, if at all, been made the subject of Parliamentary enquiry ; and that nearly the whole of the evidence received by your Honorable House, concerning

the existing fiscal and Judicial arrangements of India, has been given by persons who have been officially connected with their administration, or identified with that form of government, by which the systems in use were established and have been upheld.

"That your Petitioners would further represent to your Honorable House, that from the peculiar secrecy which till recently marked the proceedings of the local Governments, and the Supreme Government of India, their records have very rarely afforded knowledge to any but the officers immediately connected with the separate departments of the State; there has been no opportunity for public discussion; and very little information of an authentic and authoritative character has been conveyed through the channel of the public press; while the formation of public opinion, either on the acts of Government, or on the events happening in the wide regions under the sway of the Government of Bengal, has been precluded or rendered impracticable by the almost entire absence of the means of inter-communication, which, your Petitioners regret to say, still characterizes, after a hundred years of occupation, the Bengal Presidency.

"That your Petitioners must further represent to your Honorable House, that from the exclusive character of the Government Service, the views of its public officers have been naturally and necessarily liable to a peculiar bias, and that the public records, if published, would rarely afford that full comprehensive survey of subjects affecting the civil and social interests of the people which the minds of men more favorably circumstanced would supply.

"That your Petitioners therefore believe that, in this country, there is special need for an impartial enquiry of a public nature, and your Petitioners submit that their Memorial exhibits sufficient and most urgent grounds, on which, with special propriety, their request for such an enquiry might have been granted at the present time."

And they presented the following considerations which appeared to have been overlooked in the refusal of the Enquiry :—

First.—"The condition of Bengal is peculiarly distressing from the long and lamentable neglect which has been so remarkable in its history. Your Petitioners admit that, joined as the Governorship of Bengal was with the Governor Generalship of India up to the year 1854, or held for short periods with limited authority by the Member of Council, who happened to be Senior, when the Governor General was absent, it was unreasonable to expect any uniform or satisfactory and efficient course of administration. It was because this peculiarity in the position of Bengal was well known and severely felt, that the Marquis of Dalhousie (as your Petitioners believe) recommended that provision should be made for a separate Governor for Bengal; that several witnesses before the Committee of your Honorable House declared the necessity of that measure; and that Petitions were presented to your Honorable House (from your present Petitioners among others,) praying for that act of obvious justice and utility. The East India Company's Act of 1853

provided for that long-desired arrangement, and your Petitioners thankfully acknowledge the wisdom of Parliament in the enactment. But your Petitioners represent to your Honorable House, that this wise measure cannot at once remove the effect of past neglect; and that far from being a reason why enquiry into the condition of the people should not be granted, it should rather be a reason why enquiry should be granted and prosecuted, with a view to vigorous measures under all the advantages of this new system of Government.

Secondly.—"The expediency of supplying the Legislative Council of India with that information which is needful to guide its various members who have not long been resident in Bengal. That Council has not the power, like your Honorable House, of appointing Committees of Enquiry, and taking oral evidence prior to legislation; and in the absence of this, if no Commission of Enquiry for Bengal is appointed, your Petitioners fear that its members, with one or two exceptions, will be unable to decide with confidence or satisfaction, on the measures proposed or suggested.

Thirdly.—"The importance of supplying full and detailed information for the use of your Honorable House, now that matters connected with India are attracting more attention and interest in England, and your Honorable House is called, from session to session, to entertain questions which deeply concern the welfare of millions of Her Majesty's subjects in this Presidency. The information on which the Lieut. Governor of Bengal and some other members of the Government are prepared to act, may be full and satisfactory to themselves; but your Honorable House has too deep a concern in the affairs of the country, to rest satisfied without sharing the information, which, if confined to individuals, must perish at their decease, or become unavailable on their surrendering the offices they occupy.

Fourthly.—"The desirableness of eliciting the testimony of classes of people in India, who hitherto have rarely, if ever, been allowed an opportunity of giving evidence respecting the operations of the Government, and the adaptation of the existing Regulations to the state of the people. Such classes are the independent Europeans, and the unofficial Natives.

Fifthly.—"The desirableness of explaining why measures of improvement, the necessity and justice of which appears to be admitted now by the Government of India, have been delayed so long.

Sixthly.—"The example afforded by the Government of Great Britain, in reference to other possessions of the Crown. Your Petitioners would remind your Honorable House of two Royal Commissions of Enquiry to Canada, of one to Ceylon, and of one to Borneo very recently; and your Petitioners would also call to mind the Commission over which the Earl of Devon presided in Ireland, which was issued during Sir Robert Peel's administration, and which was not considered supererogatory or needless, although many of the subjects embraced in its enquiries had previously been subjects of investigation by your Honorable House."

But this is not all. Mr. J. P. Grant introduced a measure to

amend the present Sale Law into the Legislative Council, in December 1855. As it was opposed, and as the Missionaries believed it to be an important boon to the oppressed cultivators, they thus recently addressed the Council in a petition on the subject. Others were speaking for their own interests—Zemindars and Indigo Planters—and the Government of Bengal, and such of the Revenue Officers as took the trouble to notice the matter at all, were stating the obstacles to the practical operation of the bill. But as friends of the poor, the Missionaries had to show how their circumstances demanded this relief. And they thus stated their views :—

“ That your Petitioners beg leave to submit to your Honorable Council, their views on the evils which that Bill is designed to meet ; and generally, on the position of the cultivating classes in this Presidency ; and they respectfully but earnestly solicit the favourable consideration of your Honorable Council, to their representation of the claims of those classes of the community, who are unable effectually to plead for themselves.

“ That your Petitioners recognize in the Perpetual Settlement an important boon to the whole Presidency, in its limitation of the Land Tax, and they regard that settlement as the probable foundation of great national prosperity. But in the practical operation of the system, your Petitioners observe two distinct classes of evils.

First.—“ The under-tenures are insecure ; the rents of the cultivating classes are capriciously varied ; and the interests of those classes are virtually unprotected.

Secondly.—“ The Zemindars are armed with extraordinary and excessive powers.

“ That your Petitioners believe it to be notorious, that the intentions of the Laws for securing leases to the tenants ; for securing them receipts on their payments of rent ; for limiting within just bounds the rents reserved in leases ; and for checking the custom of exacting abwabs, and other arbitrary additional charges and cesses, are commonly frustrated and defeated. On the other hand, the power of the Zemindars, (as recognized in Reg. VII. of 1799, Sec. 15, Cl. 8), to compel the personal attendance of their tenants, for the adjustment of rent and other purposes, is, practically, in many parts of the country, a substitute for the regular and ordinary processes of the Law, and is virtually the subjection of the tenants to a state of slavery. And, further, this evil is in many instances greatly aggravated, by the estates being held in cotenancy, so that several shareholders, who are often in a state of conflict, equally exercise an arbitrary and unrestrained authority.

“ That while this Law thus presses severely on the tenants, your Petitioners observe, that from the increased cultivation of the soil, and the greatly increased value of its produce, the Zemindars, who were primarily regarded simply as Collectors of the Land Tax, or Farmers of the Revenue, entitled to a fair profit on the returns,

derive now a revenue greatly in excess of the revenue which they pay to Government. And thus, contemporaneously, while the Zemindar has been rising in wealth and power, the tenant has been sinking into penury and dependence, subject to illegal and exhausting exactions, harassed by contending proprietors, and oppressed by the exercise of extra-judicial powers.

"That your Petitioners submit, that this result was neither designed nor contemplated by the Perpetual Settlement. By that arrangement certain great advantages were secured. A moderate assessment was levied on the land, in substitution for uncertain and unlimited demands; and an important class in the community, who were regarded as foremost in intelligence and influence, were placed in a position of responsibility, usefulness, and honor. But these Zemindars have, since that time, not only acquired by Law the power of enforcing their demands by *ex-parte* proceedings, commencing with the arrest and imprisonment of the tenants, but have also received the sanction of the Law, as already stated, to their custom of enforcing the personal attendance of their tenants at their pleasure; and both these powers, but especially the latter, your Petitioners believe they often greatly and shamefully abuse.

"That in the practical and extended development of this system, it is manifest that the tenants suffer from a lax administration of Laws passed for their protection; that they are oppressed by the execution of other laws, which arm the Zemindars with excessive power; that they do not share with the Zemindars in the advantages derived from the development of the resources of the country; that the profits thus monopolized by the Zemindars, are already incalculably valuable: and that year after year, the condition of the tenants appears more and more pitiable and hopeless.

"That your Petitioners are compelled to add, that other evils increase the wretchedness of the condition to which a tenant is thus reduced. The Village Chowkedars are the servants of his Landlord; the Government Police are corrupt, and he cannot vie with his Landlord in purchasing their favor; the Courts of Justice are dilatory and expensive, and are often far distant from his abode, so that he has no hope of redress for the most cruel wrongs; and he is frequently implicated in affrays, respecting disputed boundaries, in which he has not the slightest personal interest. Ignorant of his rights, uneducated, subdued by oppression, accustomed to penury, and sometimes reduced to destitution, the cultivator of the soil, in many parts of this Presidency, derives little benefit from the British rule, beyond protection from Mahratta invasions.

"That your Petitioners believe that under these circumstances, the interference of your Honorable Council is urgently demanded by justice and benevolence; and they view the present Sale Bill as an important step in the right direction.

"That the objections of the Zemindars to the measure, appear to your Petitioners entirely futile. It appears to your Petitioners unquestionable, that your Honorable Council may justly protect the tenant, provided only it leave the Zemindar ample means of paying.

he Government Revenue, and a fair profit on his collections. The elevation of this Zemindary class, by extraordinary protective and fostering measures, is not a policy that can be wisely or equitably pursued, to the sacrifice of the great mass of the people."

The minutes of Mr. Halliday and of Lord Canning, and of the other Members of Council, while they treated the Memorial for Enquiry with respect, denied that there was disaffection, and rested mainly on the ground, that the condition of the cultivators was already well and sufficiently known. With this there were mingled other objections, such as the length of time the Enquiry would take, the expectations it would excite, the delay of good measures it would occasion, and the course of administration and of legislative reform, which had already been commenced by the Government. Admissions of considerable importance certainly were made, but the case as represented by the Missionaries was substantially denied, and the Court of Directors have since emphatically approved of the refusal of the Enquiry, and vindicated their course of administration. Now, what is the *truth* of this case? The point at issue, it will be observed, is narrowed simply to this: is the condition of the people already so well known, that a Commission of Enquiry can do no good, and may do much harm? That is the question. We submit that it evidently is *not* known to Mr. Mangles, who probably speaks the sentiments of the Court of Directors; and if we may assume that the Committee of the House of Commons adopted the sentiment of so able and so well informed a witness, we must conclude that it is equally unknown to them. The case of the cultivators of Bengal, as represented by Mr. Mangles, is identical with that of the cottier of Ireland, in 1852. But how stands the fact? Ireland had unhappily suffered for centuries from political and religious differences, and civil war. In recent years, when all national jealousies and bitterness might have been appeased, both were roused and inflamed by new political agitation. There was no social peace; there was a restraint on the industry of the people; there was a system of landed tenures which originated in the follies of the proprietors of the soil, who were, commonly, heavily encumbered, and in the excessive competition for land among a redundant population, who took it from exacting middlemen. But there was an admirable Police force; there was a perfectly just and vigorous administration of Civil and Criminal justice; a system of national education was beginning to produce its effects on the people; new laws had commenced to operate for the sale of encumbered estates; and a very considerable proportion of the population had perished in a year of famine; another large portion was emigrating to the United States; and it was notorious that a new era of peaceful labour, and of intelligent agricultural

enterprise, was dawning on the country. Very much had in fact already occurred, to ameliorate the social condition of the Irish people.

In Bengal the Police force was an acknowledged atrocity. The administration of Civil justice was slow, and expensive, and virtually was prohibited to the poor. Criminal justice was a lottery. The testimony of the Missionaries was, we confidently assert, true to the letter, as to the insecurity of life and property, the contentions about disputed boundaries, and the impediments to investments in land. Mr. Mangles saw only the mat and bamboo-hut, and plantain groves, and all those resources which a most luxuriant land enables almost the poorest beggar to enjoy; and he might as well have noticed at the same time the diseases incidental to the climate, and the liability of large parts of the country to inundations, the ravages of wild animals to the crops, and the want of roads to take the ryot's produce to market. The Missionaries saw the cultivator behind these plantain groves reduced to practical slavery; under grievously offensive rent laws; almost entirely uneducated; a prey to petty tyrants; with no Courts of justice near him; liable to be seized and imprisoned, and to have his crops seized, on false ex-parte statements, by his landlord, without the slightest hope of redress; liable to extortionate and arbitrary exactions of increased rent; with scarcely clothes to cover him in the cold season; unable to get leases for land which his ancestor held, it might be, long before his landlord obtained that peculiar interest in the soil, which Lord Cornwallis gave him in 1793; and lastly, liable to be expelled and ousted, not for his own default, but after his own rent had been paid, for the default of his landlord in paying his rent to government.

We need say no more. Both these pictures cannot be correct representations. And yet it is a matter affecting millions of people. It is a matter too important to be settled by the concurrence of Mr. Mangles, who has always viewed things as a Member of Government, and Sir Thomas Redington, who knew nothing, but what he had heard from such persons. But more than this; it is not a matter to be settled by an Enquiry by a Committee of the House of Commons, if that Enquiry be similar to the Enquiry of 1852-53. We are willing to give credit to the witnesses who spoke there for sincerity, and for a desire to tell all they knew. But it is not possible that men who have been trained up in the lap of the East India Company, who have thriven into wealth through that powerful corporation, who owe to it all they possess of wealth and influence, and who look to it, and to a continuance of its present system, for the advancement of their families and friends, to

speak dispassionately, or to weigh the interests of the people with those of that Company. It is not possible; and consequently, it is so plain that no one who has studied the evidence taken can doubt it, that, in fact, the condition of the people was almost entirely ignored, or was erroneously represented. The witnesses, with few exceptions, were men identified with the system of Government, which was then under trial, and gave precisely the evidence that might have been expected. We are speaking of the case of Bengal. Renew that Enquiry now, conduct it in the same way, and the result will be the same. There is but one mode of reaching the truth, and that is by a Royal Commission to Bengal, to enquire into the condition of the people. That measure is demanded by justice and benevolence, and we cannot believe that it will be refused much longer. The objections to it, we believe, are merely specious and unsubstantial; exactly such as may be suggested, and are suggested, to every new and important measure, by timorous, by interested, by idle, or by narrow-minded men—and honestly by some few others, who with the most anxious desire to do that which is right, act under a mis-conception of the circumstances. Such men we *know* have opposed the Commission reluctantly;—for the opposition of others we were prepared.

It is not, however, simply the condition of the people which requires investigation in Bengal. It was right and becoming in the Missionaries, when they applied for a Commission of Enquiry, to confine themselves to the condition of the people, and those topics which bore directly upon it. But there is a larger scope for enquiry. We believe that the development of the resources of this country is a matter of imperial concern, and that the progress of the present line of Railway, the addition of others, the extension of inland steam navigation, the increase of roads, and the port at the Mutlah, are equally matters requiring investigation. The question too, as to the present exclusive system of Government, under which civilians are shifted about from fiscal to judicial offices, as if equally qualified for both, or are transferred to other offices essentially different from either; the question as to the causes of past neglect; the question as to salaries, which, under the existing system, is referred to the investigation of a single member of a privileged class, whose allowances form the chief subject of consideration, and always have been zealously guarded—these matters, and we may add the propriety and expediency of continuing to maintain the Madrassa as a college for disaffected Mahommedans, and in a wider range, all the measures which tend to stimulate commerce, to excite confidence in the Government, to elevate the people, to attract European settlers and capital to the country, should be embraced in one general

Enquiry; and for such an Enquiry, it is clear that the most able men the country's service can supply, should be willingly provided, by the united counsels of the Imperial and the Indian Governments. We do not believe that it would be difficult to frame a Commission. There are officers of Government without official prejudices; there are men at home, who have not been in India, but who have enlarged minds, and have gained extensive knowledge of other lands; we might have new views from the ablest men of the North West, men like Mr. Tucker of Benares, or Mr. Donald McLeod; a Commission of men from home, like Mr. Mackay who came out to investigate the cotton districts for the Manchester Chamber of Commerce; men like Sir John McNeil who has extensive eastern experience, and whose sagacity and firmness were eminently displayed in the Crimean Commission; and men like Sir Charles Trevelyan who have been in India, and who have since gained additional experience of official life in important stations. It seems, indeed, an easy thing to nominate a Commission capable of doing justice to the subject, and worthy of the confidence of the country.

But we feel that it would be unjust to confine the Enquiry to Bengal.—Bengal has special claims, and special need; the case of Madras, we have reason to fear, is not more satisfactory; but we earnestly desire to see the case of all India taken up in a bold and noble spirit, and a Commission worthy of England sent to every Presidency. Can it be said of any Presidency, that all is already known? In the case of Torture in Madras, the Court of Directors, and other high authorities, declared that they had never heard of it, although it was notorious at Madras, and was described in detail in the evidence given before the House of Commons, before the renewal of the Charter in 1833, and it then appeared, that a formal complaint of it had been presented to the local Government! We require such an investigation, that *all* may be known, and known with certainty, both here and at home, and that nothing which is known may henceforth be authoritatively denied. Then as to Revenue. In 1786, the gross revenue of India was £4,210,000. We apprehend that in the past year, it was nearly thirty millions. Would this be a heavy revenue for such a country, and for such a population, if the national resources were fully developed? If we take now ten millions worth of British manufactures, may we not hope in twenty years to take fifty millions, and to export a hundred millions of produce from our shores? Certainly, that is no doubtful prospect. Why, then, should there be any hesitation in public works, which will tend to this development? Why are we, in India, with insufficient capital, to keep fifty millions locked up in the public loans? Why not empower the East India Company, with the English

Government's guarantee, to raise its loans at home? Why not amalgamate the whole imperial liabilities, by adding the *Indian* debt to the British debt, at three per cent., if the whole of our Indian loans can be transferred to home by raising the amount there, as easily as we added thirty millions to the British funded and unfunded debt in the Russian war? There will be abundant scope and margin in the surplus of our Exports and Imports, to pay all the interest at home, to pay the interest on all the guaranteed millions invested in our Railways,—abundant, even if England spend on India, as much as she has lavished on her own Railroads with such far inferior prospects of returns. These are things to be enquired into, considered, and decided, not in the light of private interest, not in conjunction with a pre-conceived determination to uphold the double government, the civil service, and the old system of routine, monopoly, and exclusiveness, but on such full data, as a Commission of Enquiry would afford, and with a whole-hearted, resolute, and generous desire to fulfil the high destiny of Great Britain, and to lay broad, and wide, and deep, the foundation of India's prosperity. We need this, not merely to liberate the people from the sufferings of centuries; not merely to extend the boundaries of our general commerce; but also to assist in overturning the ancient superstitions, which in the minds of this people, are inviolably bound up with the continuance of existing social evils, of popular ignorance, and of the separation from other races of men.

But men's views of this subject will naturally be influenced altogether by their views of the general policy, which it is the interest, and duty of Great Britain to pursue in India. If we think that India is always to be regarded as a conquest, to be treated as such, and held by the stern law of force, then we must go the whole length with Lord Ellenborough, and object to every measure calculated to enlighten the people. Our dominion must be a military despotism, tempered, it may be, by our national generosity, but still a military despotism, to the security of which every thing else must be subordinated; and as experience has proved, a military despotism resting on a large European army. With our great resources, it is quite possible that this policy might succeed for many years. The natives could not so effectually combine as to endanger our position, if our whole strength were directed simply to the consolidation of our power; but the process of self-preservation must then be the process of India's debasement, and our success would be purchased by our shame. But we put aside this fancy altogether. It is certain, that though temporary seasons of panic may give countenance to this theory, other views habitually

animate both the legislature and the people of England, and, that all recognize the duty of seeking the good of India by every ameliorating measure, which is calculated to develop her resources, stimulate her trade, enlighten her people, and prepare, as the result, for free and popular institutions. The duty is acknowledged of spreading education, and of admitting the natives of the country gradually, and so far as is consistent with British supremacy, to all the offices of Government, for which they become qualified. This then necessarily involves a social revolution—not a violent displacement of British authority, not a sudden disturbance of all existing distinctions, but a transition period, with an adaptation of new institutions to progressively advancing stages of public sentiment, till, in the end, the distant sway of England may be recognized here rather than felt, by a Colonial Government—not free from her influence, not hostile to her interests, but the fruit of her wise, beneficent, and magnanimous preparation of India's people for self-government. There will of course be dangers and trials in the interval. No policy can exempt us from them. We cannot look around us even now, without observing that every educated man chafes under the sense of social disabilities, and cherishes and spreads around him disaffection. As such men increase and multiply, as they gain from the progress of civilization, and European habits, more manliness, and courage, they will exercise a wider influence; and as popular education spreads, there will be also among the mass of the people a more distinct perception of their position; they will be more open to the influence of a seditious native press; and the sense of their power, when united, may lead to lawless combinations, especially if a few men of strong will, and decisive character, arise to lead the way. And then too, it should not be forgotten, that there is another element in our social state, which *must* work with constantly increasing power. There must be felt, more and more, the disruption produced by the spread of general Christian truth, and by the necessary effects of actual earnest Christianity in individuals;—and then, assuredly, the ancient superstitions, and the old vile priesthood which is the woe of India, will not die without a struggle. We shall hear of fears for Hinduism and Mahomedanism from those who call themselves Christians, if we hear none from the people themselves; the alarm will spread, and all the usual arts will be employed to entrap the Government into insane attempts to check the work of Christian Missions, and to discourage the progress of Christianity. But this, happily, is a matter far above the power of Governments. The conflict with Christianity tested the skill of Roman Rulers, and eventually, in the wild invasions from the

barbarians of the North, Christianity conquered both, preserved the relics of ancient art, literature, and law, turned the rude conquerors into patrons of the faith, and placed on the throne of the Cæsars, a professing head of the Christian Church. If a new struggle arise, there will be a nobler and purer triumph. The universal extension of the Gospel of Christ, as secured by unfailing promises, will be accomplished, and all enemies and obstacles will be swept away. This is the inevitable destiny of India and of the world. Here, then, is our prospect. We must reconcile and adapt ourselves to this. We must rule India, not so as to crush her energies, or check the advance of truth, but so as to fit her to rule herself, in the spirit of wise Christian benevolence, and so as to make our influence depend on the identification of our interests and hers, on the reciprocation of advantages, the responsive action of beneficence and gratitude, and the common tendency of England and India to the same ends, their union in the same enterprises, and their communion in Christian brotherhood. This must be our general policy, whatever temporary measures of precaution may be required at particular seasons of disaffection. If this be our policy, then we need this first step of enlarged Enquiry. It is objected, however, that it will delay measures which are evidently necessary now, by postponing legislation, till new enquiry shall have proved their necessity. It is amusing indeed, to hear this objection from those who have so much difficulty in explaining, why these measures have already been delayed so long! Certainly their necessity is not a new discovery;—for instance, the reform of the administration of justice, the reform of the police, or the reform of oppressive rent laws. The generation which first urged these reforms has well nigh passed away, and has seen nothing done by those who now are seized with such sudden alarm, lest a Commission of Enquiry should check their impatience to exhibit their statesman-like improvements! Perhaps their fears are needless, and all parties who claim enquiry will consent to take their reforms *de bene esse* at once, contemporaneously with enquiry; and consent, that the enquiry shall proceed with the view rather to discover the necessity for other measures, than to confirm the conviction already felt so long, that these reforms are urgently required. It is not much to promise, that neither we nor any others of those who advocate enquiry, will complain if the Report be, that some of the recommendations have been forestalled; though we may enquire, why, for so many years, recommendations which will so soon occur to the Commissioners, so tardily occurred to the Court of Directors. And as the enquiry we claim need not delay good measures, (but possibly may stimulate and promote them,)—so it need not occupy any considerable

length of time. Here, again, our opponents have no cause for apprehension. If we are not much mistaken, able, practical men, with the records of Government thrown open to them, with access to every kind of personal information, might be expected to effect as much in India in a year, as a Committee of the House of Commons with only partial information, far away from the sphere of enquiry, could do in four months! Such at least is our expectation. It may seem strange, but we fail to see that such enquiries as heretofore have satisfied the Court of Directors, and the public,—enquiries for three or four months by Committees of the Houses of Parliament—have had in them the elements of more energy and complete action than a Commission would have in any presidency in India. Indeed, there appears to us something almost ludicrous in the theory, that such a commission as we have indicated, sent to each Presidency, necessarily must occupy in the labour so much more time than has been usual for such a Committee sitting without a tithe of the advantages; and the suspicion arises almost irresistibly, that the theory is not only unsound, but delusive. We certainly can imagine Commissioners who would protract their proceedings—and possibly such commissioners might be found among those gentlemen who now so earnestly deprecate delay, and who have heretofore so remarkably exhibited their own tendency to that error; but a commission to enquire into the whole case of Bengal, if it were formed of men in India, like Sir John Lawrence, Colonel Cotton, Sir H. Lawrence, Mr. Tucker, Mr. McLeod, or Mr. J. P. Grant, and men at home, like Sir C. E. Trevelyan and Sir Stafford Northcote, would give an account of themselves, we suspect, in about a twelve-month; and in the other Presidencies, the labour would probably be less, and the result more speedy.

We fail then, to see the practical evils of these Commissions. But we do see their necessity very clearly, if the Government of India henceforth is to be that for which we are hoping. We look for, and desire a Government, not by delegation any longer, but by Public Opinion in England controlling the simple system of a Secretary of State for India. We deny positively that this system has failed when applied to the British Colonies. On the contrary, we affirm that its results have been highly honorable and advantageous to the British nation. The British Colonies have in them the foundations of future nations, and are illustrations in our national history of our general equity and justice. It is idle to apply to them one general rule, and to try them all by that. The case of nearly each one has been distinct, and it has been dealt with accordingly. In those which were gradually and slowly peopled by British immigrants,

the mother-country, by constant succour, encouraged enterprise; and as population increased, and the means of self-government increased, extended political privileges. In others, where we found on conquest, as in Lower Canada, a large foreign population already settled on the faith of definite expectations, and in the enjoyment of special laws, we have secured to them all they before possessed, and have adopted the colony in the largest spirit of benevolence, into the British family. So with Colonies captured from the Dutch—the Cape Colony and Ceylon. In those Colonies, where the population was obtained principally from the barbarous slave trade, our legislature first set the example of protection to the oppressed, and first gave freedom to the enslaved. Our Colonial history is the early history of British Commerce and enterprise; our Colonies were the trophies, and the nurseries of our navy, and for many years, the great foreign supporters of our domestic manufactures; they have been the source of wealth and luxury to multitudes, and the homes of multitudes more; and they are destined to extend the Anglo-Saxon race, language, religion, and freedom, with reproductive power, throughout the world. Errors there have been in our policy,—errors, in some cases, as in the United States, which have been overruled to produce unbounded good; though in the early history of the United States, there are evidences of remarkable wisdom in our English statesmen. But taken as a whole, we have reason to be thankful for the past, and to look with hope and growing confidence to the future. It is then to this Government by the British Ministry, controlled by the British Legislative, and now, more than ever, governed by Public Opinion, that we would consign the Government of India; and it is because we espouse this kind of Government, that we desire to see Commissions of Enquiry opened, to enlighten that Public Opinion. It is, we believe, high time for measures of the kind. Year after year, the British Public, if not mystified about Indian affairs, has been left to grope on in the dark; and thus, all sense of responsibility has failed, and there has been a placid, stupefied contentment with the total inability to judge on the subject. England has boasted of her voyages of discovery; she has sent expedition after expedition to explore a North-West passage; she has tried and is trying now again to gain entrance up the Niger and Tshad to the heart of Africa, but her knowledge of India is confined almost entirely to ex-parte statements of those who are identified with the delegated authority which it is their interest to perpetuate. The people of India have never been examined; the type of "Old Indian" has been the settled class of informants in Indian affairs; and so the strain of adulation has

been prolonged, whenever the East India Company has been mentioned.

We cannot enter at length into the special topics of Enquiry, but we must confine ourselves to those which are connected with the commerce and resources of India. And first of all for Public Works. It is to Mr. Bright (whom Manchester, in imitation of Bristol in the case of Mr. Burke, has lately rejected) that we owe the impulse given to Public Works in India. The writings, and the personal influence of Colonel Arthur Cotton, influenced him, and enabled him to advocate the cause of India with vigour and effect; but he laboured under great difficulties. The Committee of Enquiry supplied him with inadequate information, and there was no one in the House of Commons able and willing to support him with the weight of personal knowledge. On the contrary, he only heard there of the immense works already accomplished. But he had the alleged fact, that in the Indian Treasury, there were cash balances to the extent of fourteen millions sterling (an allegation in which we, like others, then believed;) he had the means of judging that this was a needless amount, and with that bold and rapid glance by which he usually mastered the most difficult questions, he saw that the limited extent of English Imports into India, and the difficulty of supplying England with Indian cotton, both arose from one cause—the almost total neglect by the British Government in India of the means of intercommunication. The result of his efforts was a despatch from Sir Charles Wood, authorizing the expenditure of seven millions on Public Works. Lord Dalhousie knew well that, in that form, the order could not be obeyed. The process of spending money on Public Works must needs be slow and gradual, and so he resolved to continue his operation of paying off the five per cent. loans (and thus reducing the interest to four per cent., and relieving the public expenditure to the extent of £250,000 a year)—and then to have a distinct Public Works Loan opened at four per cent., for all that might be subsequently required. He calculated on having to pay off much of the five per cents. to those who objected to the reduction of the interest to four per cent.; he believed that the balances were less than fourteen millions; and that with so large a number of treasuries and in so vast an empire, nothing less than nine millions should be retained. A Public Works Loan was therefore inevitable. But unfortunately, his expectations of success in his operation were disappointed by the rise in the interest of money consequent on the war, and also we apprehend by the real balances falling far short, not only of their reputation, but also of the expectations of the Governor General himself. Public Works were largely undertaken; the Court of Directors con-

tinned drawing far beyond their actual wants ; and the treasury was on the verge of bankruptcy. The Public Works Loan had to be prematurely opened, and it was necessary to fix the interest at five per cent. This immediately brought down the whole four per cent. stock, which had lately been received at par, to the amount of many millions, to about eighty ; and the Government sustained in its credit the most severe shock it ever encountered. In looking back now, it is easy to see that the whole arrangement was a failure, but it was a failure occasioned solely by the war. But for the war and the rise of interest at home, India would not have suffered by the withdrawal of so much English capital after the conversion of the five per cent., or it would very speedily have been replaced, by contributions to the intended four per cent. Loan for Public Works. But it is vain to look back ; save to notice for future amendment, the system of extravagant, needless, drafts from the East India Company, (which undoubtedly were the immediate cause in 1855, of the difficulty in the treasury in Calcutta ;) and that system of accounts, which deluded the highest authorities in England, into the belief that there were available for the public service fourteen millions of cash balances. Why the Court of Directors should always keep in hand three millions and a half or four millions of money, and draw for their supplies in their accustomed capricious uncertain manner, we are quite unable to explain ; and equally does it seem inexplicable, that a system of accounts, which produce such a result as a delusive balance, should be preserved a single year longer.

As the case stands now, Government is pledged to many Public Works, with a gross income inadequate to the gross expenditure, and after having experienced much difficulty in obtaining money in the new public loan at five per cent. This latter difficulty, however, was occasioned by the very ill-judged opening of a four and half per cent loan last year, as a tentative measure. The prospect of the need of money was manifest ; it was certain that the four and half per cent. loan might be a failure ; it was equally certain that a five per cent. loan opened at that period, just after the restoration of the peace, and guaranteed to remain unredeemed for fifteen or twenty years, would be rapidly filled up ; and that loan should therefore have been opened for a sum large enough to cover every prospective want. The course to be taken, now, in existing circumstances, when such tardy confidence has been placed in the five per cent. loan, and when the expenditure in the current year will be greatly above the income, and with the prospect of extraordinary expenses, and of a further deficiency next year, we will not now fully consider. We have already intimated our opinion, that permanent relief might be

had, and should be had, from home ;—but that would be in the form of England guaranteeing or adopting the whole Indian debt, buying up the four per cents., and arranging for all present and future loans being hereafter raised in London at English interest. But the first question is, whether there is not a simple method of relief for the present time—namely, the total cessation of the East India Company's drafts for a twelve month, and their being compelled for the future, to terminate the year with no greater balance than half a million, and to draw for each year's supplies in twenty-four equal parts—one part regularly by each fortnight's mail. Having so large a balance in hand, they need not draw at all for some time, and they should not be permitted to do so. This would afford sufficient needful relief for the present year, and would be an immense advantage in the year to come.

One thing at least will be undisputed—that our Public Works cannot be allowed to stop. The increase of production occasioned by the establishment of peace (as in the Punjab or Oude) is in many places a positive evil to the people. They have large supplies of additional produce, and no vent or outlet for it. The prices fall ; meanwhile the Government rent remains the same, and the prices of the cloths, and other goods, which the people have to import, also remain the same ; and they suffer from their plethora of production. At the same time other parts of the country, or other and distant lands, remain in want of these very surplus products. Our rivers touch only some parts of the country, and some of them are not navigable. The railroads will become of immense value, but their commencement, as we have stated, was not earlier than 1850 ; their progress has been, and will be, slow, and they also affect only parts of this vast country. We evidently require practicable roads in abundance, converging on the Railway lines and the rivers ; and the improvement of our river navigation ; and all this on an extensive and liberal scale. We have already adverted to the navigation of the Gogra. We believe that there are few rivers like it in India ; and that there should be a good road made at once from Lucknow to Fyzabad, and a Steam Company provided to run up the Gogra from Bhagulpore, or some port where the Calcutta Railway line could meet the traffic. But there are other rivers of equal importance. It is conceded that the difficulties of navigating the Nerbudda appear to be impracticable ; but the navigation of the Godavery is feasible, and it seems to us to stand out, at the present time, as the most needful and the most hopeful enterprise in India. The case respecting it was very ably stated in a series of letters

in the *Friend of India* of 1856—commencing on the 31st July. They were signed H., and were presumed to be written by the engineer officer, who has charge of the Godavery Anicut. He said: ‘Look at the Map. Ninety miles west of Nagpore is Umruttee, and forty-five miles S. S. W. of the same city, Hingunghat, both towns important centres of Cotton districts. The river which flows between them, is the Wurdah, a tributary of the Godavery, and a steamer on it near Hingunghat, would be distant from the Port of Coringa (by the river) 445 miles. Now supposing the steamer to proceed down the river from Hingunghat in the month of July, when the river is in flood, she would find the first 100 miles of it to be perfectly clear, open, and easy navigation; then for thirty miles, a swifter and more disturbed current, with points of rock appearing here and there, indicating an extensive mass of rock beneath. The next eighty miles would be found perfectly clear sailing, and the current slight; then would succeed, near the confluence of the Indravatty, ten miles similar to the rocky reach above mentioned; after this seventy miles of unbroken navigation, without obstruction of any kind; then fifteen miles of rather rocky bed, but beyond this, for a distance of 112 miles to Dowlaisaram, an easy and unimpeded navigation: at Dowlaisaram, I should ask you to leave the steamer while she passed through the lock into the Cocanada Canal, and to take a look at the first of the five weirs which here span the Godavery, forming together the Grand Anicut, four miles in length, from end to end, with a clear waterway of two miles and a half, and I think, if time allowed of your inspecting this magnificent work, with the three great ducts which lead off the water from it for the irrigation of the Delta, delivering altogether a volume of 1,200,000 cubic yards per hour, or one-third greater than the Ganges Canal, you would admit that after all that has been said of the “Benighted,” the greatest triumphs of engineering science India can boast, are to be met with, not in the North West, but in Rajahmundry. A fine canal, thirty-three miles long, leads direct from the Anicut to Cocanada, the principal town of this part of Coringa. Thus then you will observe, in the whole distance of 445 miles, there are but sixty miles, where the navigation is impeded by rock in the bed. During the three months from July to September, which include the flood season, these rocks are frequently so completely submerged, as to form no impediment whatever, and a powerful steamer might make several trips between Hingunghat and the Coast, sometimes indeed, ascending the river as high as Natchingram, which is only thirty miles distant from Umruttee.” He then proceeds to a thorough investigation of

the subject in reference to the whole course of the river, and some of the tributaries, and establishes the feasibility of navigating 1,800 miles, and vindicates Colonel Cotton's general views respecting this and its connected topics, in his book on Public Works in India. The result is a strong impression, that at least *this* subject should be taken up by an immediate and earnest enquiry; and that contemporaneously with the Deccan Railway, the works for opening the Godavery should be vigorously prosecuted. For, with respect to Cotton, there appears to be little doubt, first, that the American and European demand is already beyond the American supply, and that additional supplies from India are urgently required; secondly, that as good Cotton as American Cotton, can be grown in India; thirdly, that with reasonable care it can be obtained in a fit state, and not in its ordinary state, —mixed with dirt; and lastly, that such Cotton can be produced in India, at one penny to two pence a pound. If then, there be rivers, like the Wurdah and Indraverda flowing into the Godavery, and capable of carrying the produce of a vast extent of Cotton country to such excellent ports as Coringa, and Coconada, no ordinary obstacles should be allowed to delay the commencement of the works necessary to open the navigation; and the result would amply repay almost any amount of outlay in the undertaking. But the culture of Cotton in Gujerat, as well as in the Deccan, render Public Works needful, and we believe, that nothing which appears on the subject in Mackay's Western India, is at all an exaggerated statement of past neglect. On the general subject of the cultivation and export of Cotton in India, we cannot here enlarge. It appears probable that outlets are alone wanted, and that they have become so necessary, and so important, that the British Parliament should insist on immediate enquiries and prompt measures.

We have given in former pages some returns which indicate the progress of the Export of Cotton in conjunction with other articles; but the importance of this product, not to Great Britain only, but to China also, requires that we should add some further details, in order to mark the rate of previous progress. Dr. Forbes Royle supplies the following table, for which he acknowledges his obligation to the late Mr. G. R. Porter.

Table of the Aggregate Imports of Cotton into Great Britain, of the Quantities received from the United States, and India respectively, with the prices of the two kinds.

Years.	Aggregate Imports into Great Britain.	Imports from the United States.	Imports from India	Prices of other than Indian Cotton at Liverpool.		Of Surat Cotton at Liverpool.	
	lbs.	lbs.	lbs.	pence.	pence.	pence.	pence.
1860	56,010,732	16,000,000	6,629,822	16	to 36	10	to 18
1801	56,004,303	19,000,000	4,098,256	17	to 38	14	to 18
1802	60,345,600	23,500,000	2,679,483	12	to 38	10	to 18
1803	53,812,284	27,750,000	3,182,960	8	to 15	9	to 14
1804	61,867,329	25,750,000	1,166,355	10	to 18	8	to 15
1805	59,682,406	32,500,000	694,050	14	to 19	12	to 17
1806	58,176,283	24,250,000	2,725,450	15	to 21½	12	to 17
1807	74,925,306	53,250,000	3,993,150	15½	to 19	10	to 15
1808	43,605,982	8,000,000	4,729,200	15½	to 36	14	to 25½
1809	92,812,282	13,500,000	12,517,400	14	to 34	11	to 26
1810	132,488,935	36,000,000	27,783,700	14½	to 22½	12½	to 19
1811	91,576,535	46,750,000	5,126,100	12½	to 16	10½	to 13
1812	63,025,936	26,000,000	915,950	13	to 23½	12	to 16
1813	50,966,000	War between England & U.S.	497,350	21	to 30	15½	to 20
1814	60,060,239		4,725,000	23	to 37	18	to 25
1815	99,306,343	45,666,000	8,505,000	18	to 25½	14½	to 21
1816	93,920,055	57,750,000	10,850,000	15	to 21	14	to 18½
1817	124,912,968	51,000,000	40,294,250	16½	to 23½	14½	to 20
1818	177,282,158	58,333,000	86,555,000	16½	to 22	7	to 20½
1819	149,739,820	57,750,000	62,405,000	10	to 19½	5½	to 14½
1820	151,672,655	89,999,174	20,294,400	8	to 13½	6½	to 12
1821	132,536,620	93,470,745	10,626,000	7	to 11½	6½	to 9½
1822	142,837,628	101,031,766	6,742,040	5½	to 11	5½	to 8½
1823	191,402,503	142,532,112	13,487,250	6½	to 10½	5½	to 8½
1824	149,380,122	92,187,662	17,796,100	7	to 10½	5½	to 8
1825	228,005,291	139,908,699	21,175,700	6	to 19½	5½	to 16
1826	177,607,401	130,858,203	22,644,300	5½	to 8½	4½	to 7
1827	272,448,909	216,924,812	25,742,150	4½	to 7½	3½	to 6½
1828	227,760,642	151,752,289	29,670,200	5	to 7	3½	to 5½
1829	222,767,411	157,137,396	28,147,700	4½	to 7	2½	to 5½
1830	263,961,452	210,885,358	12,324,200	5½	to 7½	3	to 6
1831	288,674,853	219,333,628	26,828,900	4½	to 7½	3½	to 5½
1832	286,832,525	219,756,753	38,249,750	5	to 8	3½	to 5½
1833	303,656,837	237,506,758	32,755,164	6½	to 12½	4½	to 8½
1834	326,875,425	269,203,075	32,920,865	8½	to 10½	5½	to 7½
1835	363,702,963	284,455,812	41,474,909	9½	to 12½	6½	to 8½
1836	406,959,057	289,615,692	75,746,926	7½	to 11	5½	to 8½
1837	407,286,783	320,351,716	51,577,141	7	to 8½	4½	to 6
1838	507,850,577	431,437,888	40,229,495	6½	to 9	5½	to 6½
1839	389,396,559	311,597,798	47,170,640	5½	to 7½	4½	to 6½
1840	592,488,010	437,856,504	77,010,917	5½	to 7	4	to 5
1841	487,992,355	358,214,964	97,368,312	4½	to 6½	3	to 5
1842	531,750,128	405,325,600	96,555,186	4	to 6	3½	to 4½
1843	674,196,992	558,735,600	68,820,570	4½	to 6	3½	to 4½
1844	646,111,304	517,218,622	88,639,608	3½	to 4½	4	to 4½
1845	721,979,953	626,650,412	58,437,426	2½	to 4	2½	to 3½
1846	442,759,336	382,520,000	33,711,420	4½	to 7	3½	to 5
1847	474,707,615	364,599,291	83,934,614	6	to 4½	5	to 2½
1848	713,020,161	600,247,488	84,104,961	3½	to 5½	2½	to 3½
1849	775,469,008	.....	.....	5½	to 8	3½	to 5

We cannot continue the paper in the same form, but we find in the Appendix to the Lords' Report, which we have already quoted, the following statement from the Court of Directors of the aggregate Exports of Cotton from India from 1834 to 1849-50.

Statement exhibiting the Quantities of Cotton exported from India to Great Britain and other Places.

YEARS.	BENGAL.		MADRAS.		BOMBAY.	
	England.	Other Parts.	England.	Other Parts.	England.	Other Parts.
	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.
1834-35	3,051,190	25,858,616	3,039,500	1,712,500	32,177,712	32,408,532
1835-36	11,631,706	45,997,884	7,761,500	11,974,500	45,795,596	32,398,996
1836-37	1,586,408	34,546,456	8,316,000	18,873,500	68,163,901	47,091,927
1837-38	380,074	16,040,490	1,266,500	3,908,000	38,100,472	59,062,944
1838-39	293,350	17,464,702	2,400,500	8,569,000	31,800,887	69,547,360
1839-40	2,100,346	12,727,978	12,991,500	6,978,500	59,001,134	34,209,152
1840-41	106,434	14,973,440	3,888,500	8,650,500	81,581,688	49,981,749
1841-42	305,620	8,879,191	13,384,000	10,610,500	104,795,091	56,221,477
1842-43	158,732	14,024,418	2,699,000	21,319,500	69,839,914	81,939,416
1843-44	143,142	16,404,798	1,576,500	12,938,500	91,781,824	79,662,004
1844-45	109,636	16,469,184	7,166,000	18,908,500	50,854,590	70,969,407
1845-46	12,154	7,691,580	3,123,000	7,160,000	40,042,243	68,248,573
1846-47	0	9,510,814	3,466,500	9,270,000	87,607,744	59,225,778
1847-48	1,624,433	11,147,072	3,147,746	6,315,332	89,429,561	48,653,161
1848-49	30,513	2,907,098	3,033,728	8,257,037	64,189,278	90,263,812
1849-50	27,306	1,817,971	5,026,023	8,038,957	105,637,028	45,117,935

The Reports of External Commerce for Bengal, Madras, and Bombay, enable us to continue this statement, and we give the value in sterling money at two shillings to the rupee. This latter statement will be a sufficient indication of the capabilities of India; for the progress it manifests has been made under accumulated disadvantages. With adequate means of communication with the sea, the impulse given to the production would be extraordinary. Whether Bombay would then be (as now) the chief port for Cotton Export, or whether Madras, Coringa, Rangoon, and Calcutta, might not compete with her in importance, would depend on circumstances which we cannot now foresee; but Bombay, in other respects, appears to have a promising future before her, not only as the great port for the arrival and departure of passengers, but also, as the most convenient port for the traffic of all Western India, and of a large part of Central and Western Asia:—

EXPORTS OF COTTON FROM INDIA

To United Kingdom.

1850-51.	lbs.	Value. £	Total Exported. lbs.	Total Value. £
Bengal	938,030	12,009	22,498,400	281,262
Madras	9,037,689	116,842	45,188,604	582,279
Bombay	131,423,883	1,931,365	184,291,863	2,798,032
1851-52.				
Bengal	624,880	7,811	39,671,200	495,875
Madras	4,632,380	61,540	35,859,252	403,521
Bombay	75,829,306	1,101,927	195,710,024	2,906,835
1852-53.				
Bengal	6,672,040	83,328	32,568,160	407,101
Madras	16,175,197	191,871	76,067,998	866,507
Bombay	157,932,069	2,249,936	197,881,840	2,839,390
1853-54.				
Bengal	1,812,160	22,651	15,964,640	199,363
Madras	8,703,984	113,782	31,325,840	378,537
Bombay	127,396,389	1,808,625	172,036,925	2,477,610
1854-55.				
Bengal			7,307,760	91,353
Madras	8,006,035	104,490	26,849,395	311,942
Bombay	111,448,366	1,578,923	153,947,800	2,174,390
1855-56.				
Bengal	12,028,480	150,356	13,912,640	173,353
Madras	4,792,838	58,899	21,018,464	252,184
Bombay	165,680,930	2,320,454	217,487,413	3,074,039

Of the large quantity exported to other countries than Great Britain, we may remark that the average Export to China from Bombay alone in the last five years was 54,450,579 lbs., of the annual average value of £812,380. Indeed, Cotton to Great Britain, and Cotton and Opium to China, constitute a very large portion of the aggregate Exports of Bombay. The Opium exported in 1854-55 was valued at £2,540,000, and in 1855-56 at £2,560,000.

With regard to Railways in India, we believe that no estimate which has been yet published, has reached the probable result of all those lines which pass through the productive portions of the country, and terminate at important ports, or are connected by other lines, or by river, with such ports. The great trunk lines connecting first Calcutta and Allahabad—then Allahabad and Delhi,—then Delhi and Peshawur,—then Bombay, Agra and Delhi,—and then Bombay and Madras,—then Bombay, Jubbulpore and Mirzapore, penetrating Central India, and linking all the chief cities; will be of great importance for military and political, as well as commercial purposes. But the Punjab appears to require most urgently, the recently proposed line from Lahore to Kurrachee. The line from the bank of Ganges to the foot of the Darjeeling hills; the line from Calcutta to Bogwangolah; and from Calcutta to Dacca; and from Cawnpore to Lucknow and Bareilly; appear to us likely to be almost equally valuable, and probably as remunerative. It appears indeed exceedingly doubtful, if the Court of Directors, in guaranteeing the dividend of five per cent., would in any of these cases suffer loss from the date of opening, and in several cases, particularly in respect of the lines terminating at Calcutta, we look for enormous returns.

The subject of Irrigation has been recently dealt with in Colonel Baird Smith's Report on the Caverry, Kistnah and Godavery, (published in 1856 by Smith, Elder and Co.) He says in conclusion: "it has been shewn that the projects either actually executed; or in progress of execution, affect tracts of country containing in the aggregate a total area of fully 20,000 square miles, or twelve and a quarter millions of acres, whereof one-half may be considered as either cultivated or culturable. This aggregate area is inhabited, at present, by a population numbering rather more than four millions of souls, whose material condition ranges from that of the utmost comfort in Tanjore, to that of the utmost depression in Guntoor; but among whom one standard, and that the highest, will ultimately prevail. Of the six millions of acres adapted to irrigation, not less than two millions will have a full supply provided for them, at a cost which in its utmost extent cannot exceed half a crore of rupees, or half a million sterling, in the aggregate; and the annual revenue obtained by the State, on which this powerful stimulus will operate, reaches at this moment to one and a quarter millions of pounds, and may be expected to advance progressively to rather more than two millions per annum. The million and three-quarters of people, forming the population of Tanjore, pay on the average, very nearly, two and half rupees, or five shillings each per annum to the State. The two millions forming the population of Rajahmundry, Masulipatam and Guntoor, pay similarly an equal sum. In the first

case, the area of taxation amounts to 3,900 square miles; in the other, it rises to nearly 17,000 miles; the sum is in the one case paid by a population amounting to 430 in the square mile, occupying a fertile, well cultivated, and well watered region, productive in the highest degree, and the payment is therefore made cheerfully, and balances in arrears are practically unknown; in the other it is paid by a population averaging not more than 130 on the square mile, poor, scattered, depressed, and the payment is therefore reluctantly made, and is a heavy burden, evaded whenever practicable, and hence much in arrears. As the population of the Kistnah and Godavery Delta rises to the standard of Tanjore under the operation of the same causes to which this standard is due, we shall have these two regions inhabited by upwards of seven millions of souls, instead of only two, as at present, and as they will be far more able than now to pay their two and half rupees each, we shall have a total revenue of one and three-quarter millions of pounds, instead of the £600,000, we now derive from them." And so in another place he says: "I leave the broad and undeniable fact, that on a maximum expenditure and cost of maintenance there are undoubted grounds for anticipating an ultimate return of from fifty to sixty per cent., to speak for itself."

It is satisfactory to know that a plan of Captain Dickens, of the Bengal Artillery, for a similar work on the Soane, is likely to afford to the Bengal Presidency a share in this admirable system, which, dating back to the second century of the Christian era, under a Native monarch, and recently prosecuted in its amended and extended form, by Colonel Cotton, to whose "natural genius for civil engineering, large acquired knowledge, singular professional daring, strong will, and perseverance," Colonel Smith bears honorable testimony,—exhibits to us an incalculable source at once of revenue, and of public and private wealth, and certainly points to a subject which at least deserves and is likely to reward Enquiry. But we forbear entering into other details. The formation of roads, the extension of railways, the navigation of our rivers, works of irrigation, the speedy establishment of a port on the Mutlah, the increase of the steam flotilla on the chief rivers, and the prosecution of the geological surveys, (already undertaken), are the principal branches of Public Works which require consideration, but having adverted to them we must hasten on to other subjects. The cultivation of tea in India, like railways, and the rivers, and like the cultivation of cotton, and irrigation, might well be made the subject of a distinct paper. We can only briefly glance at it. It has been prosecuted for some years with success in Assam, by the Assam Tea Company, but the population is scanty there, and the district is not easily

accessible. The Tea plant has recently been proved to be indigenous in the district of Sylhet in Bengal, and in the adjacent non-regulation province of Cachar. In the North West, Government plantations have been established on the Himalayas in Kumaon and Gurhwall, with remarkable promise, and in the Punjab at Kangra, with even still better results. The Kangra Tea probably is inferior to none in the world, and its cultivation presents the strongest inducement to extended enterprise. It appears that no return on capital invested can be expected under three years or perhaps four, but then it would be a reasonable calculation to expect 300 lbs. per acre, and to sell it at two shillings or one rupee a lb. At present, the Kangra Tea and the Kumaon Tea are in great request in India, at much higher prices, and the indigenous demand will probably rapidly increase, so that it will be long before there is any considerable export, either from the North West or the Punjab. The return of 300 lbs. an acre at two shillings a lb. would give £30 a year; the assessment would be very light indeed; and the invested capital, so far as the returns enable us to judge, would be comparatively low. It is difficult to see how so much as £100 an acre on any extensive plantation could be required. This then is a product which encourages the most extensive and energetic development, and it would be well, if the facts relating to it were widely known and thoroughly understood, both in Europe and America.

The exportation of Fibres has already attracted great attention, but it is probable, that the trade is still merely in its infancy. The various purposes to which Jute is now applied at home, and its cheapness, produce a great demand for it, and the ease with which it is cultivated, and the large return it yields, render it a favorite crop with the Bengali landholder. The probability is that its export will go on increasing, and that in a very few years, the quantity sent out annually, will exceed a million sterling in value. The Rhoëa is another fibre of great importance, resembling, as it does, the China grass. The price of it at home is very high, and the want of it may increase. But till it is better known, and can be more easily prepared, the export can not be expected to be extensive. If it could be laid down in London at £50 a ton, the demand for it would soon increase, and stimulate the production here. But there are other fibres which are likely to come into general or extended use, and among these the Jubbulpore Hemp, (or sunn), and the Flax. In the former, we have a product capable of competition with the Hemp of Russia; and Flax could be exported in unlimited abundance, with a more skilful arrangement for preserving at once its stalk and its Linseed.

The trade in Opium, as the returns we have quoted shew, has grown and is likely to grow on. The question of Government connection with it is much misunderstood at home, and is sometimes argued, as though the Government here could, if it chose, suppress its cultivation by prohibitory laws. This however, we fear, is impossible, and the Government monopoly therefore, in so far as it operates as a restriction, both on the cultivation, and the use of the drug in this country, is a very important benefit. The case in China wears a very different aspect. The smuggling of Opium in armed vessels, in connivance with the Chinese officials, who are bribed and corrupted; and the consequences to myriads from the use of the drug; render the traffic only second to the slave trade, (if indeed, it be second even to that), in iniquity and cruelty. But whether it could be suppressed, save by such a combination of all nations, as is directed against the slave-trade, is very doubtful. The only practical remedy that we know in our own country, and among ourselves, is for Public Opinion to deal with these Opium-traders, as it does with pests and nuisances to society, who are living by pandering to the vilest passions, and accumulating wealth, by means on which the curse of God must certainly rest for ever. But very different has been our conduct. We have boasted of our enlightenment, and of our "forbearance" to the Chinese, and have sneered at their barbarism and folly; while our Christian gentlemen, honored and exalted in society, have been using means to poison them by thousands, for filthy lucre's sake; and not a few who have called themselves Christians and Englishmen, have been parties to that atrocious system of slave dealing, which annually consigns thousands of entrapped Chinese, as hopeless slaves to Cuba, and as worse than hopeless slaves to the Peruvian Guano Islands. In truth, no offence more disgraceful than the conduct of multitudes of English traders to the people of China, has been committed in the annals of commerce. To crown all by a war on a false pretence of an insult to the British flag, and to commence it by the bombardment of a populous helpless city, is in strict keeping with much that has gone before; and his vindication of this conduct, doubtless in the eyes of his admirers, adds greatly to the fame of Lord Palmerston, and exhibits in striking colours his zeal for the dignity and honor of our country. Of course the war into which he is now rushing with so much bravado against a pitiable foe, will end as his first China war ended, in an enormous increase of smuggled Opium, or perhaps the traffic will be still further stimulated by the importation being legalized. Since the last war, the Import of Opium into China has increased from 20,000 to 70,000 chests, and this war will doubtless lead to a further corresponding

expansion of the traffic. We talk of the wrongs of Africa! When the public mind in England is restored to health, we shall begin to hear of the still greater wrongs of China.

The rapidly extending trade in Grain and Seeds, particularly in Rice, Linseed, and Mustardseed, must have attracted the attention of all who have considered the development of India's resources. The readier cultivation of these articles as compared with Sugar, and the greater profit they at present yield, cause them to be preferred to Sugar by the cultivators. The case of Indigo rests on special grounds. It is we fear ordinarily a forced cultivation. The Planter takes a Zemindary or a lease from a Zemindar, and intends to cultivate Indigo. But the question at once occurs, is the Ryot, the small holder, to cultivate what the Planter chooses, or that which he himself prefers? What is, in fact, the Ryot's tenure? Is he a yeoman holding a freehold, subject to a rent charge payable to the Zemindar, or is he a tenant at will, whose continuance in possession depends from year to year on the pleasure of his landlord, or is he a mere labourer? It is a large question, and the probable answer to it will satisfy few Indigo Planters. We apprehend that the Ryot is in the same position as the Feuar in Scotland, or the perpetual householder in Lancashire, who pays a first rent to a head landlord. The idea of the head landlord in those parts, prescribing the crops, is to say the least, novel; and we apprehend that ordinarily it is a sense of the doubtfulness of the right on the part of Indigo Planters, which induces them to rest rather on an alleged contract in each case, than on a general power as landlords. They usually make advances for the season, and supply the seed—and if this be done *bona fide*, and accepted by the tenant, the obligation to cultivate accordingly, is sufficiently simple. But there is reason to believe, that the ryot is usually allowed no choice in the matter. That there are cases in which he consents to receive an advance for Indigo cultivation, and then, under the influence of a rival Planter and Zemindar, or from the mere hope of a successful fraud, sows other seed, is very probable; and it is equally likely that in all such cases, the Planter is tempted by the dilatory and expensive process of legal relief, to take the law into his own hands, and to assert his rights, according to his own view of them, in his own way. But generally speaking, it is difficult to believe, that ryots occupying ground in a Talook or Zemindary held by an Indigo Planter, who are necessarily greatly in his power, would venture to sow other seed, if they had consented to receive advances for cultivating Indigo. It may be assumed that the Bengali, with his thirst for gain, will be sufficiently willing, without any constraint, to cultivate a profitable crop; and that there must be something

peculiar in the case of Indigo, which occasions his reluctance and repugnance; and we apprehend that as other crops—(Rice, Jute, and Seeds for instance,) become increasingly in demand, this repugnance will increase. The Indigo Planter will be then, as now, of course at liberty to sow Indigo on land in his own proper occupation, but the question, whether he is at liberty to compel the ryots in Zemindaries, which he has purchased, or in the Talooks which he holds of Zemindars, to cultivate it also, in preference to all other crops, is not to be settled in the affirmative, as a matter of course.

In dealing with this subject we are usually met by extraneous considerations. We are told of the capital expended by Planters, and of its great importance to the country, and the like. But great caution is needful in giving assent to all that is said on this point. The cultivation of Indigo originally was stimulated chiefly by the East India Company, which made very large advances on the produce. Mr. Bell states that the Exports in 1786 were 245,011 lbs.; and that it was by means of these advances that the quantity had advanced to 5,570,824 lbs. in 1810. The average amount now is probably about 9,000,000 lbs. the factories having been increased by the great Houses, and many of them having been afterwards kept up at a heavy loss by the Union Bank,—in both cases we venture to think, at the ultimate cost of the unfortunate creditors of those Houses and that Bank. The current outlay now, in the purchase of seed and in labour, is doubtless large, and the annual average export value of the article, may be henceforth stated at about two and a half millions sterling. But the export of Rice from Calcutta and Arracan last year, we believe, was much more than this, and it was raised with far less difficulty, and the profit on it to the people was vastly greater. The cultivator of Indigo knows that he is engaged in a hazardous speculation, and that it is as likely as not, at the end of the season, that the yield of his land, instead of clearing off his advances, and leaving a balance of profit, will leave him in debt to the Planter. Then, further, he is in the hands of middle men who notoriously defraud him. The number of his bundles is most probably counted amiss; and in settling accounts he has to give all kinds of “customs” into the intervening hands. He is, in fact, “in the books” of the factory, and is likely to remain there, *volens volens*, for life. On the whole then, there is a great deal in the Indigo Planting system as practised in Bengal, which demands enquiry, and which suggests difficult and embarrassing questions. That it is connected with a great deal of severity and injustice, appears very evident; and that this must necessarily be the case, (as is usually said),

is a conclusion which in our minds, at least, does not excite either satisfaction or contentment.

At any rate, enquiry ought not to be refused from the fear of injuring "class interests," and of exciting "class animosities," if the fact be that the opposed "classes" are a few Indigo Planters on the one hand, and myriads of suffering and oppressed people on the other. Or, if this ground be tenable, it must be also conceded that all the measures preliminary to the emancipation of the slaves in the West Indies were objectionable, and that emancipation itself was unjustifiable.

Of the other articles of export, it is probable that considerable progress will be made, ere many years, in Coffee, Tobacco, Cochineal, and Borax. If disturbances increase in China, there may be a largely augmented demand for Silk. And it appears to be very likely that Wheat will assume a greater prominence in the exports of Grain, as soon as the Railroads are sufficiently advanced to reach the most fertile districts. The internal demand of India herself, for her own products and manufactures, will also rise with her advancing civilization, and the demand of her ports, of Calcutta especially, for all the materials of ship-building and of domestic luxuries, will stimulate internal traffic in an extraordinary manner. New wants will arise, the wonderful ingenuity of the people, applied to improve methods of cultivation, and to new arts, will develop new internal resources, and great tracts of country, now the abode of wild beasts, will be cleared, and brought under culture, and the climate being improved, as well as the popular habits, the people may advance in physical vigour and courage.

But the consideration of India's future progress cannot be severed from the thought of the destiny of the whole continent of Asia. The voice of prophecy, the experience of history, the observation of nature, all combine to point to this great continent, as the sphere of the greatest future developement of power, wealth, and knowledge. With such a vast population, with such exuberant fertility, with such magnificent rivers, such mineral treasures, and seas studded with such splendid islands; with races of people marked out for eminence by the highest natural gifts; with new influences rapidly working to combine, and unite under European authority, all Eastern nations; and with all those other advantages which are spreading through the globe—proximity by means of steam, the experience of varied wants and mutual dependence, the advancement of intelligence, and the spirit of enterprise and freedom,—Asia is struggling forward out of the sufferings and gloom of centuries, into the enjoyment of peace and prosperity. It may be soon, that we shall see again on the theatre of the world her master-minds; the spirit of ancient sages and heroes animating new sons of the East: the lyre touched again with the re-kindled

fire of earth's first and greatest poets ; patriotism burning again in a new heroic David ; descendants of the Maccabees rousing desponding nations into life ; and the fervour of Paul again inspiring Apostles of the East to give a new impulse to their own and to future generations. We have known in the dreary page of past history, the sad records of energies wasted, wisdom mis-directed, and military skill applied only to spread abroad desolation and ruin. We see still the ascendancy of minds of astonishing force, in the followers of Mohammed, Gaudama, Zoroaster, and Confucius. We meet at every turn, traditions of Akbar, and records of the conquering march of Timour. Nimrod is remembered still. The name of Ishmael is still revered by his posterity ; and the faithful memory of the scattered Jews, mourns still the fatal sins that stripped them of their land, while it treasures up the promise of pardon and future glory, and the fame of their ancient worthies. And we feel how soon, if the animating and ennobling spirit of Christianity were to vivify the powers of some new hero of Asia, the tide of sorrow and affliction might be rolled back, and years of compensating blessing begin to run ! We believe that thus it will be : that assuredly the Deliverer will hasten to release this struggling captive, and to destroy the wasting foe which preys now on the weakened frame. All nature, all tradition, all human expectation, points to the coming time ; and prophecy directs the eye to the source of faith and hope. Already in India much has been attempted. Brahminism has been shaken, and entrance gained for truth. In other lands the powers of evil have been shattered. And there have been the first fruits of the promised harvest in the evangelization of many, who once worshipped dumb idols even as they were led. In very recent days, we have heard of the Karens in Burmah, receiving the Gospel " with all readiness of mind," and scarcely less has been its triumph among the Coles in Central India. As we have seen in other lands, the Moravians (as in Antigua), carrying the blessings alike of Christianity, and liberty to a whole population ; as we now see captured Negroes rescued and brought back to Africa, there to carry to their homes far inland, or up the Niger, the tidings which alone can truly emancipate ; we awaken to the consciousness, that the era of the world's recovery is drawing near. We see the whole creation groaning in bondage ; while boundless wealth, in food for the use of man, is wasted every year in untrodden regions, rich with all the needful treasures of a golden age. But we read that " the earth was formed to be inhabited," and we believe, that by ways far beyond our conception, with the ease of omnipotent skill, the designed result will be accomplished, and the designed purpose fulfilled. And therefore, though now scarcely in the infancy of the world's true manifestation, we lift up our heart, in the assu-

rance that error, suffering, and oppression, will be gradually but completely abolished, and that all the nations will be united in the combined response of praise and worship, to the great Author of their bounties and their joy.

If there be those who deem these topics uncongenial to our main subject, they have altogether mistaken our design in reviewing these foregoing details. We wish to join with others in pleading for India; in producing an intelligent interest in her condition; and in exhibiting her necessities and her claims. We cherish the hope that if, unhappily, merchants have heretofore contented themselves with visiting this land for the sole purpose of realizing some rapid gains, the day is coming when they will be animated by nobler sentiments, and allow benevolence the victory over self. It is a narrow and petty fancy which limits the work of elevating the people of this land to Public Officers and Christian Ministers, or which leads any to say to another, 'I have no need of thee.' In the wise appointments of God, there is an endless diversity of gifts, affording infinite degrees of influence. To the statesman the case of India presents, we believe, at the present time, the grandest and the most hopeful sphere in the world, for the exercise of the most enlarged ability, and the most capacious and the warmest philanthropy; but not less to the merchant, who realizes his duty to "consecrate his gain to the Lord, and his substance to the Lord of the whole earth," it affords scope for the noblest liberality, and unrivalled opportunities of speedy and extensive usefulness. Hitherto, there has been little effort to do good, and little desire to gain the attachment of the people, or to deserve their gratitude; there have been few attempts to obtain acquaintance with their true condition;—all has been hurry to gain riches, and hurry to return home, un blessing and unblest. If India has been neglected, there have been few at home to claim a hearing on her behalf; fewer still who have spoken, with genuine feeling or intelligence, of her distresses. The general tone of all has been the cold and careless echo of "Am I my brother's keeper?" and it has been seldom that injustice has roused any to demand even a fair and deliberate enquiry. If now the conviction, at least, of ~~this~~ duty be spread widely abroad; if the importance of thus commencing the discharge of England's responsibility to this long neglected empire, be now recognized and admitted; we shall look at no distant day for a result surpassing all present apparent probabilities, in the improvement of the Government, in the enlightenment of the people, in the extension of commerce, and in the diffusion of Indian, and British influence, throughout the whole continent of Asia.

ART. VI.—*Reports of Cases determined in the Court of Nizamut Adawlut at Calcutta for 1855.* Calcutta. Thacker, Spink and Co.

SIR EDWARD COKE, in the preface to the first part of his Reports, says:—"When I considered how by her Majesty's princely care and choice, her seats of justice have been ever, for the due execution of her laws, furnished with Judges of such excellent knowledge and wisdom, (whereunto they have attained in this fruitful spring time of her blessed reign), as I fear that succeeding ages shall not afford successors equal unto them, I have adventured to publish certain of their resolutions, &c." We know not whether similar considerations have weighed with the publishers of the Reports of the Sudder Nizamut Adawlut at Calcutta, the highest Criminal Court in Bengal. But with whatever motive they may be published, the volume which we have taken as the subject of this article, (and which has been selected merely because it happens to be the latest,) is very instructive and interesting, and affords abundant materials for reflection.

All full accounts of criminal trials are interesting. The evidence of the witnesses, when given in detail, shews more of the real manners and customs of the people, than any thing else, short of personal intercourse, can do. It may not perhaps be with the best class of the people that the reader is brought into contact: but to get a distinct glimpse of the private life of *any* class,—of their motives and feelings,—gives a considerable acquaintance with the whole body. We venture to say, that for one whose lot is not cast in India, or rather in the Mofussil, and who is desirous of informing himself as to the manners and customs of the natives in Bengal, no book could be found more fitted than these reports of the Sudder Nizamut Adawlut, to give him the information sought for. From them may be seen how the natives live, act and suffer: and a fair opinion may be formed of the manner in which criminal justice is administered, and of the state of the country generally. If the reader be an Englishman, he will find a further interest in these reports, inasmuch as they will occasionally shew him a good deal of his fellow-countrymen in India, and of the manner in which they comport themselves in their various positions.

The cases which come before the Sudder Court are all of them important, the crimes charged being generally the heaviest known to the calendar. Some of these cases come up on appeal from the decisions of the Inferior Courts: others are referred by the Lower Courts for the final decision of the Sudder. The latter course is followed, either where the nature of the crime of

which the prisoner is accused, is such that no Court but the Sudder can deal finally with it; or where the Lower Court considers a more severe punishment necessary than it has power of itself to order,—such as death, or transportation for life. In cases which have to be referred to the Sudder, the Lower Court, after trial in the ordinary manner, records its opinion, recommending the punishment which seems suitable. This recommendation is, in fact, the sentence of the Court making it, and as such we always treat it. It must therefore be borne in mind, that when in the course of the following remarks, we speak of the *sentence* of the Lower Court, we may mean either an actual sentence or only a recommendation.

The Sudder Court is a Court of ultimate Criminal Jurisdiction: its decision is final, there being no appeal from it to the Privy Council, as there is when it sits as a Civil Court. In such a Court, dealing with such subjects as we have described, we should naturally expect to find many questions of law,—we mean pure law,—discussed and decided. But strange to say, this is not the case. If such a point does happen to be decided, it is so merely incidentally, and as if it were the least important part of the whole case. There is no dealing with any subject *generally*; no deliberate laying down of the law, so as to be much of a guide or authority for the future.

So far as we understand it, the custom is for the Judge of the Lower Court to furnish the Sudder Court with a full statement of the case sent up, and with the conclusions he has come to, and his reasons for coming to them: along with these, are sent the depositions of the witnesses who have been examined. The manner in which these statements are prepared, is not always very judicial or dignified: and many of them exhibit a playfulness of imagination, which we should hardly have supposed could exist among a set of gentlemen who have spent the best part of their lives in a climate such as that of India. In many cases, they appear to aim much more at what they consider fine writing, than at making a simple, or strictly accurate statement of the matter with which they are dealing.

Thus in the statement of one case, the charge being murder, and there being several prisoners,—one of them a woman whose intrigues with the deceased had probably caused the murder,—we find the following passage:—

“The standard of virtue amongst native females is not a high one: though I do not mean to say they are *all* unchaste: far from it, and if the practice of *Suttee* was restored, scores would resort to it again, on the death of their husbands, to shew by precept that they were chaste.

“Chaste as the icicle

That's curdled by the frost from purest snow,
And hangs on Dian's temple.”—*P.* 758, *Nov.*

—really very poetical and pretty, coming from a gentleman writing on a matter of the life or death of no less than three persons ! !

Again, in a case in which arson, robbery, and attacking the police were combined, the Judge of the Lower Court gives a long introduction to his statement. After mentioning that the circumstances out of which the prosecution arose, had their origin in a dispute between two persons who jointly possessed certain estates, one (whom we shall call A), having a $\frac{1}{8}$ share, and the other (whom we shall call B), having a $\frac{1}{8}$ share, the Judge proceeds :—

“ At length A seems to have resolved on taking vigorous measures to put down opposition, come from what quarter it might. For this purpose he secured the good will of two brothers, indisputably the most notorious, turbulent, characters to be found in this notorious lawless district. These brothers are Gugun Meah and Mohun Meah, (*since not inappropriately named the Gog and Magog of these parts*). The means employed to gain them over was a lease on easy terms of several desirable properties ; but this compact was destined to be of short duration, for, &c. * * The alliance was thus cut asunder, and these parties became his worst enemies. Innumerable were the cases these parties brought against each other, but the long purse of A soon exhausted the strength of the Meahs in this expensive and profitless warfare, and then the Meahs changed their tactics. Leaving A to the Courts, the Meahs gave him real cause to resort to them. They plundered A's zemindary cutchery, robbed and oppressed all who professed to be favorable to him, and this kind of life proved so tempting, from the plunder obtained, that the Meahs were able, without any means of their own, to collect and keep together a force which A's hired hands were not strong enough to cope with.” * * *
Pp. 272—3, Feb.

He then goes on to state the facts of the case before him. It is to be observed that although one of these identical Meahs was on his trial, there was no evidence whatever before the Judge of any of the matters which furnished him with the introductory flourish, from which we have made the above quotation. The Sudder Court very properly takes notice of the impropriety of thus trying to establish a general imputation against the prisoners : but curiously enough, they, at the same moment, adopt the introduction themselves, by adding “ though not without foundation.” The judgment of the Sudder Court goes on :—

“ The report should be founded on matter strictly connected with the several offences charged on the record, and supported by legal evidence. The *soubrequets* of Gog and Magog given to the two brothers, Gugun and Mohun, in the Sessions Judge's letter of reference, are quite out of place, and evince a levity which is too indiscreet to be passed over without some notice.”—P. 298, Feb.

It ended in the unfortunate Gog having a sentence passed upon him of imprisonment for fourteen years with irons and labor.

The Inferior Courts are not always so respectful to their superiors as they might be. When a case is remanded for review, or any other purpose, such a proceeding is occasionally somewhat irritating to the Judge whose decision is called in question, and the disapprobation which is felt, is sometimes expressed. By the law as it exists in Bengal, if a man is tried on several distinct charges and found guilty on each, the Judge may give him one consolidated sentence for all, instead of a distinct punishment for each offence. Gog, (the same person we have just been speaking of,) and several other persons, were brought up charged on various indictments at once. The Judge tried them on some, and then passed a consolidated sentence on them, without trying them upon the others, or in any way disposing of them. The Sudder Court sent back the proceedings, saying that the prisoners "were entitled to a decision in the Sessions Court, on the charges, which could not be allowed to hang over them, and it was the duty of the Sessions Judge, either to convict or acquit them." The Sessions Judge tried them as desired, but wrote back :—

"Though I did not try the two omitted cases, the charges were not kept pending over the prisoners. * * * Every prisoner convicted and sentenced, I should have regarded as done with ; but any prisoner acquitted altogether would be subjected to be tried on the two un-investigated charges. Nor can I see any inconvenience or injustice in this. *A man who has broken the laws must be tried in the way most convenient to those who have the administration of the law.* It is better that a prisoner be subjected to trial on a fresh count after his acquittal on some former charge, *than that a Sessions Judge should employ his time for five or six days in the trial of a multitude of kindred cases, for fear that the Nizamut Adawlut reverse some of his convictions.*"—P. 271, Feb. 7.

He also remarks :—

"As hanging is the limited punishment for any number of cases of murder, so I regard fourteen years' imprisonment as the proper limit for any number of crimes less than murder." * *

To which the Sudder replies :—

"The Sessions Judge has entirely forgotten that, for obvious reasons, the power of Courts of Justice over a criminal must be limited by a sentence of death, while they can exercise the power of secondary punishment at their discretion, to any extent sanctioned

by the law in other cases. The Sessions Judge's reasoning, is therefore both misplaced and illogical."

It is quite incomprehensible, how such a production as that of the Sessions Judge is altogether—for we have given but a small portion of it—should have been tolerated at all. The only excuse for it appears to be, that when the case was originally remanded, neither Court fully understood what the other had done, or intended should be done.

There seems to be no disposition on the part of the Lower Courts to put their light under a bushel, for we find them not unfrequently bringing to the notice of their superiors, the excellent manner in which the prosecution has been conducted, and a conviction obtained. Thus, one Judge, in a murder case, having said that he considered that transportation for life would be a sufficient punishment, on account of the prisoner's youth, continues :—

"With these remarks I leave the case in the Court's hands, trusting they will approve of the care and despatch shewn in its preparation and reference, not more than nine days having intervened between the perpetration of the crime, and the recommendation of the prisoner for punishment."—*P. 67, July.*

The Sudder Court took no notice of this passage, but quietly ordered that the prisoner should be hanged instead of transported,—and indeed, as it happened, he did very well deserve to be hanged.

The number* of cases reported for the year 1855, is 637; and in most of them there was more than one prisoner. In 228, or rather more than one-third of these cases, the prisoners or some of them were successful; 377 persons who had been convicted and sentenced, were acquitted: thirty-two persons were released and set at liberty, the proceedings against them being quashed for irregularity: the punishments of twenty-six criminals were increased: those of 104 were diminished. In all, 507 of the sentences passed by the Lower Courts, were altered, exclusive of the cases in which the proceedings against thirty-two persons were quashed.

Such a state of things is very far from what it ought to be: an immediate remedy for it, however, it is not easy to discover. The Sudder Court seems often to interfere very needlessly and capriciously with the decisions of the Lower Courts, in cases

* These figures are *materially* correct. There may for certain reasons be some slight inaccuracy, but none such as in any way to affect the general results shown.

where the whole question is, as to the amount of credit to be given to the evidence adduced. It is not sufficiently borne in mind, that where many witnesses have been examined, and there is much conflict of evidence, no two persons, however careful or intelligent, ever take *exactly* the same view of the matter, and that, under such circumstances, the chances are that the man who is on the spot, and who has personally seen and dealt with the witnesses, is more likely to come to a right conclusion, than the man who has had none of these advantages. These reports, however, fully prove the necessity which exists for having an appeal from the Lower Courts, and that the appeal to the Sudder, even such as it is, is a great benefit; they shew how much more unsafe, both life and liberty would be in the Mofussil, if there were no appeal.

That life and liberty are most unsafe in the Mofussil, is very evident. If so many of those charged with the most heinous crimes, and tried by the most experienced Judges in the country, were improperly convicted and sentenced, what must be the case of the countless alleged offenders brought up on charges summarily disposed of in the Mofussil, and which there is no possibility of bringing in appeal before the Sudder Court. For one case of importance sufficient to give the prisoner the right of appeal to the Sudder Court, there are multitudes disposed of daily, in which he has no such right: and in these minor cases too, the persons who try them are often without any experience whatever,—mere lads learning their business as Magistrates, and barely yet understanding half that is said to them by the prisoners, or any one else in their Court. We say, if there is such a failure of justice in so many of the most important cases, tried with the greatest care, and by the best Judges in the country, what must the failure be in the minor cases, tried with less care, and very often, by confessedly bad Judges? And what an amount of misery and suffering must all this produce?

Contemplate for a moment the sufferings endured by the unjustly convicted men whom the Sudder Court in 1855, acquitted and released. Each of these individuals was taken from his home, seized and examined by the police, (and who shall say what he suffered at *this* stage of the proceedings?); examined and committed by the Magistrate; tried and convicted by the Sessions Judge; sent back to prison (in a few cases perhaps he would be allowed to remain out on bail): and kept in suspense, and agony, until the order for his release arrived from the Sudder Court. Add to this, that in many cases the prisoner has been dragged for miles over the country, to the place of trial; that in nearly all cases, several months elapse, between the original charge and apprehension by the police, and the final

acquittal by the Sudder Court,—and that, throughout the whole proceedings, a constant expenditure of money is requisite! And for all this there is no compensation. Indeed, there can be no compensation; for the injury done to the feelings of the acquitted and of his relatives and friends, is not an injury for which any real amends can be made. To the feelings of a native, if his position in the world be at all above the very lowest, the shock produced by such proceedings, is as great as it would, in the like case, be to an Englishman in his own country. But it never seems to occur to any body, from policemen to Sudder Judges, that natives have any feeling; and as to pitying a man for what he has gone through, owing to the blunders or viciousness of the police or of the Courts, or supposing he has any right to complain,—such a thing is never dreamt of. If a prisoner is eventually acquitted, his acquittal never gives much satisfaction to any body; he is thought only too lucky in getting off at all. And lucky indeed he is, for the whole matter is pretty much a calculation of chances!

A case in the Sudder Court is heard in the first instance by two Judges. If they agree in their opinion, they dispose finally of the case: but if they differ, they refer the case to a third Judge, and his decision, if it agrees with that of either of his brethren, concludes the matter. Should he again take a view of his own, distinct from the other two, the case is referred to a fourth Judge,—and so on, until a majority in favor of some one view, can be got.

Of this there is a striking instance, in a case* of affray attended with wilful murder. The Lower Court convicted seven of the prisoners, and sentenced them each to fourteen years' imprisonment with labor. In the Sudder Court, one Judge acquitted them all; but the other acquitted only three of them, confirming the sentence of the Lower Court as to the other four. There being thus a difference of opinion between the two Sudder Judges as to the fate of the latter, the case was, as to them, referred to a third Judge. He took an entirely fresh view of the matter; he approved of their conviction, but not of their punishment, which he considered too light, as they had committed murder, and should, he thought, have been transported for life. As the third Judge thus differed from both the others, a fourth was called in. He agreed with the first, in acquitting all. So in the end, the disputed four were acquitted and set at liberty, after having run the gauntlet of nearly the whole Sudder Bench.

This practice is followed even where the ground of dissent of

* P. 560, *May*.

the Judge who wishes to interfere with the Lower Court's decision, is that the sentence passed is too light, and ought to have been death. Thus, in a murder case,* the Lower Court considered it proved that the prisoners were guilty,—but apparently only in the second degree,—and sentenced them to transportation for life. This decision was upheld by one of the Judges in appeal. The other, however, was of a different opinion. "The crime of which the prisoners are guilty is 'deliberate and wilful murder, and the penalty is death, and 'to that doom I would consign them both.'" The case was referred to a third Judge, and as he agreed that sentence of death should be passed, the Lower Court's sentence was altered, and the men were hanged.

This does seem to be a very loose and reckless manner of dealing with human life. It is a sufficiently awful and dangerous thing to execute the extreme penalty of the law upon a criminal, even when Juries and Judges are all agreed. But that any two persons should, merely upon reading the depositions of the witnesses, and other papers connected with the case, take upon themselves to convert into a sentence of death, a minor sentence which had appeared sufficient to the Court which tried the prisoner, and to an appellate Judge of position and authority equal to their own, is to us perfectly astonishing. It will not be denied, that no man ought to be punished capitally so long as there is any reasonable doubt of his guilt deserving death: yet it cannot be said, that there is no reasonable doubt, where a man is hanged, notwithstanding the opinion of the Lower Court, and of one of the three Sudder Judges, before whom his case is heard, that he ought not to be so.

The proper apportionment of the punishment to the crime committed, is one of the most important questions for the consideration of the Judge and Magistrate, as well as of the Legislator. There are two principles by which it ought to be regulated. The severity of the punishment should depend on the heinousness of the crime: and (which is a corollary of the first) where the crime is the same, the punishment should be the same. But practically these principles are very difficult to carry out, as appears from the great inconsistency and capriciousness often observable in the sentences of Criminal Courts even in England. It is not surprising that we find a good deal of caprice and inconsistency in the punishments awarded here.

At p. 973, *Dec.*, is the report of the trial of two persons, Akbar and Haran, the former charged with committing a rape, the latter with aiding and abetting. The offence charged, was

* P. 582, *Oct.*

proved against each. Haran had aided by putting a cloth on the mouth of the prosecutrix, and afterwards by holding back a woman who came to the rescue.

At p. 994, *Dec.*, is the report of the trial of one Sabee for the like offence. In this case also the charge was fully proved. In both cases, the prosecutrices are said to have been persons of unimpeachable character,—in both the offence was as wanton and gross an outrage as possible,—in neither is there any one ingredient which makes it worse than the other. Yet what are the sentences? The one principal, Akbar, gets only four years' imprisonment; the other, Sabee, gets seven years. The abettor Haran gets only two years. Can it be doubted that there is a failure of justice here? Either Sabee got three years too much; or Akbar got three years too little.

Again let us compare the case of Akbar and Haran with the case of Idoo, heard in appeal by the same Judges on the same day.* Idoo was tried for attempting to get a situation as cook by means of a forged character. The Lower Court states the case thus :—

"The prisoner admitted having uttered the certificate, but denied that it was a forgery. The prisoners offered himself as a cook to Mrs. A., stating that he had served in that capacity in the families of Mr. B., and other gentlemen; he produced a certificate signed C. B. which he said had been written and presented to him by the late Mrs. B."

It was proved that the certificate was not written or signed by Mrs. B., or any member of the family; and that the prisoner had never served in that family at all. The prisoner was therefore very properly convicted: and he was sentenced "to imprisonment for three years with labor,—the labor being commutable to a fine of fifty rupees," which sentence was confirmed.

Now whether Idoo deserved three years' imprisonment for what he had done, we shall not stop here to enquire: very possibly he did. But if he did, can any reasonable person deny that Akbar deserved more than four years, for the rape which he committed, and that Haran deserved more than two years for aiding and abetting therein, in the manner we have described? The Sudder Court, by passing these sentences, have in fact, (although doubtless they did not mean to do so), declared it to be their opinion that it is a less offence by one-third to hold a woman while another commits a rape upon her, than to use a false character in order to get a situation as cook: and that to use a false character in getting a place as cook is only by one-fourth a less

* P. 969, *Dec.*

heinous crime than actually to commit an atrocious and aggravated rape !

Jealousy is the cause of very many murders, and attempts to murder ; and those who commit offences under the influence of it are, as a general rule, dealt with very leniently. Thus we find a prisoner convicted by the Lower Court of assault with wounding, and sentenced to five years' imprisonment with labor. He had inflicted on his victim "a very severe incised wound on the left breast," given by a *dao* or hatchet, but the prosecutor's life was not in danger. The circumstances, under which the wound was given, appear from the remarks of the appellate court:—

"We believe the story told by the prosecutor on the spur of the moment, is the true story ; that he had an intrigue with the prisoner's wife, and went for that purpose into the house, when he was detected and wounded. We are of opinion, that the assault, which was, we have every reason to suppose, committed under these circumstances, was justifiable. We therefore acquit and release the prisoner."—*P. 214, Feb.*

The prisoner himself simply denied having touched the prosecutor, and set up an alibi !

And so in several other cases. One of them is particularly worthy of notice, because the prisoner was acquitted, although it was proved that the weapon was bought beforehand for the express purpose of attacking the prosecutor,—that "the wound 'was severe and dangerous, the weapon a deadly one, and the 'attack premeditated.'"*

How far such leniency is desirable when assaults of so deadly a nature have been committed, is very questionable. We should rather have expected that in a country where so many people have but too good cause to be jealous, and where every man when excited is ready for violence of any kind, all such sudden outbreaks of passion would be checked with the utmost severity. We confess we do not comprehend how such an excuse can entitle a man to his acquittal.

So uncertain, however, are all things in the law, that defences of this nature, though generally successful, are not always so. This is shewn by a case at *p. 552, May*, and another at *p. 844, Nov.* In the latter case, the prisoner was, on his own confession, found guilty of murder and sentenced to transportation for life with labor in irons ; although the dishonor of his sister was the exciting cause,—"the provocation was intense, and the 'act of murder unpremeditated, and on sudden impulse.'"

The reports contain many interesting accounts of affrays and

* *P. 237, Feb.*

riots, and they shew that not unfrequently regular pitched battles are fought by large bodies of men, all armed after the native fashion, with clubs, swords, and spears. In such fights, many of the combatants are professional *latteeals*. These persons live by violence, and serve their master chiefly for the purpose of fighting for him. But while they serve as *latteeals*, a good deal of business is generally done by them on their own account as *dacoits*, or gang-robbers: indeed, we believe that a large proportion of the hundreds of dacoits who have of late years been hanged or transported, were also *latteeals*. In many districts, one piece of ground is the scene of so many fights in the course of the season. A. claims the ground as belonging to his estate: B., as belonging to his. Each keeps his *latteeals* in readiness, knowing well that when the sowing season comes, there must be a struggle. The sowing time arrives, and A. sends off his people to sow the disputed territory. Down come B.'s *latteeals*. A.'s men advance to support the sowing party, and then ensues a general fight, resulting in broken heads and limbs, and sometimes death. Should the land, notwithstanding, be sown, the same scene may be repeated when A. goes to carry off the crop: or, very possibly, B. may not have had patience to wait till then, but may have made a desperate, though fruitless, attempt to cut the crop while green, in which he was defeated only by the most strenuous exertions of A.'s retainers.

All this goes on to a considerable extent even in the more accessible districts, and under the very eyes of Magistrates and Police. Of course it is carried on with tenfold vigour in the more remote parts, where a Magistrate is rarely, or never seen. The truth is, that neither Magistrates nor Police are strong enough to prevent it; all they do,—and under existing circumstances it is probably all they can do,—is to try to find out the aggressors after all is over, and to have them punished. If the Police are present at an affray, they seldom are of the smallest use.

In the report of the trial of some eight persons for riot and wounding, and resisting the Police, after stating that on the application of the landlord to the Police, a *muskooree peadah* named Bachu had been sent to protect an attachment, issued by the landlord, of the crops of certain tenants who had not paid their rents, the Judge gives the following account of what occurred.

“On the 5th of December, another application was made to the Police to furnish further aid in preserving the attachment, as the villagers seemed inclined to combine, and would in that case carry

off the attached crops. Upon this, an order was sent to the *Faujdar* of Gobindpore to proceed to the spot, and prevent the removal of the crop. Accordingly the *Fareedar*, having collected from twenty to twenty-five *chowkeydars* from the villages round about, proceeded to the spot, where he found the *peadah* Bachu engaged with ten or fifteen men in cutting the crops. He had no sooner arrived than the villagers of Salgong and Burso began simultaneously to appear in large forces, and with shouts of *mar mar*, and armed with clubs, were making towards the *fareedar* and his party. The latter were soon dispersed, and those who had the courage to remain were more or less beaten. The first scene of the act being over, those of the rioters who came from Salgong returned thither with all speed; and entering the yard in which Luckhun and Ramsook had several joint granaries, the villagers cut the outer mats of the *golas*, whereby the grain in them was poured on the ground. A general plunder then ensued, which seems to have been participated in by the women and children of the whole village, and it did not cease till all four *golas* were nearly emptied of their contents."—P. 754, *June*.

This was a riot not attended by any act of very great atrocity. Here is an account of another, in which the numbers engaged were small, but the violence used great.

The landlady, through a servant, had applied for the protection of the Police to distrain property belonging to a defaulting tenant.

"A *muskooree peon* was sent from the thannah with the servant, and on reaching the ground, was warned off by the prisoners, Nos. 8 and 9, who were armed, and four other armed men with them. The prisoner No. 8 had a spear and shield: No. 9 had a sword and shield. Prisoners Nos. 10, 11, 12, 13 and 14, (servants of the landlady), were cutting the crop on the ground, when the other party attacked them, and they appear to have retreated, throwing bricks and clods. No. 7, at a little distance off, gave orders for the affray. In the affray Gurrib and Maharaj, who were with the landlady's party cutting the crop, were killed. Gurrib met his death at the hands of No. 8, who speared him in the stomach,—No. 9 afterwards striking him with his sword. Maharaj was killed by Dewan Sikh Jemadar, on the part of Kaleedass Baboo, who, as well as his master, has since absconded and evaded arrest."—P. 455, *April*.

The lower Court sentenced Nos. 7 and 8 to seven years' imprisonment with labor in irons in banishment. This sentence was confirmed; but such of the landlady's servants as were prisoners were acquitted; the Sudder Court considering that although there were fair grounds for inferring that these prisoners were not altogether so innocent as their witnesses testified, still there was no evidence that they went armed, or opposed with force the violent assault made on them.

Two rich widow ladies had large landed estates which were contiguous. The dwelling houses of these ladies were close to each other; and in the immediate neighbourhood of her house, each had a *bazaar*, a village with shops in it, to which shops each expected, and ordered all the tenants on her estate to resort. A disagreement unfortunately took place between the ladies, as to a wall which was being built between their residences. This disagreement in time became a bitter feud. The servants of each began to attempt to entice or drive away the bazaar people of the other, and to interfere with them going to her bazaar; each began to employ *latteals* for the purpose of protecting her own property, and injuring that of her neighbour. Notice of the state of affairs was given to the police by each party, but was apparently unproductive: and at last a tremendous riot and fight took place, in which one man was killed, many were wounded, and every possible act of plunder and violence committed.*

Here is a good account of a night attack by one set of villagers upon another:—

“Nackua and Chackla are contiguous villages, belonging to two rival Zemindars. The first is owned by Rajnarain Roy, while Prannath Chowdry is proprietor of the second. The villages are in the Soonderbuns, where the scarcity of cultivators makes every man of that class a valuable chattel to the possessor.

“It seems that last year Rajnarain’s agents in Nackua sent an escort of armed men, and brought away at dead of night several of Prannath’s ryots, among whom was the witness Panaullah. There is reason to think, that overtures having been made to him, he became reconciled to his late landlord, and was willing to return to his estate; but where ryots are not plentiful, it is not an easy matter for a ryot to escape from a village, except he consents to do so with the sacrifice of his worldly goods. But a ryot without cattle or plough, and with no means of supporting himself, is but a poor acquisition; and when Panaullah agreed to return to Chackla, it became, of course, necessary to devise means for bringing away his family and property. Accordingly, Prannath’s Naib assembled their dependents and tenants, and on the night of the 5th March, 1855, proceeded to bring away Panaullah, his family, and worldly goods. Their arrival in the village in force, and at that hour of night, caused an uproar; and the object of the nocturnal visit not being altogether unknown to the adherents of Rajnarain Roy, the latter were not slow to call together their men to oppose the invaders. A mutual fight was likely to have occurred; but sudden vigorous measures, on the part of Prannath’s men, quickly decided the issue in their favor, and made their opponents take to flight, *cowed by the sight of two of their num-*

* P. 834, *June*.

ber mortally wounded. Secured against further resistance, Prannath's men collected together whatever property they could lay their hands on, without regard of course whether it belonged to Prannath or not, and then made off in boats to their own village."—*P. 954, Dec.*

Cattle-trespass is a frequent cause of these murderous attacks. There is one case, for instance, in which five persons were tried for riot with murder. A cow had strayed on to a piece of waste land of one of the prisoners. The cowherd who had charge of the animal, went to drive it away. He was struck by one of the people connected with the land. This was the commencement of a riot. The prisoners, and another not yet apprehended, riotously came armed with *lattees*, when the two prosecutors were assaulted and beaten, and one of the prisoners struck the deceased a blow with a club near the region of the heart, which killed him on the spot.*

Again in another case :—

"The affray seems to have arisen from some dispute regarding the grazing of the belligerents' cattle. On the day previous there had been a dispute, in which the first party (prisoners—1, 2, and 3) had received some wounds. On the next day, a more determined fight took place, when the deceased was killed, and others on both sides were wounded. The prisoners of the second party appear to have been the aggressors, and to have fought most recklessly. Prisoner No. 11 is proved to have struck the deceased with an iron bar, which was the immediate cause of his death."

And yet the punishment for the murder committed was only seven years' labor in irons.†

We wish we could find room for some more extracts from the numerous affray cases with murder, which are reported, for they are highly illustrative of the state of the country in general, as well as of the way in which the natives when excited treat each other. It appears to us that an undue leniency is shewn, as regards these affrays, and riots attended with loss of life. One cause of this, no doubt, is the knowledge that affrays are in some degree rendered necessary from the want of any sufficient police, and of the means of enforcing one's right in the country, with any reasonable amount either of certainty or speed. The person employing *lattees* very often does so for the protection merely of his just rights, of which he would otherwise be defrauded; and many an affray which ends in bloodshed, and violence of every description, is commenced, with no evil intention, and in perfect good faith, by one who knows that unless he

* P. 220, Feb.

† P. 119, Jan.

help himself, no one will help him, and he will lose his all. Still while such things last, the country must be in a state of great demoralization; and it is evident that a much stronger ruling hand is required in Bengal than at present exists. These fatal conflicts, and the uncertainty of life and property that they give rise to, call for a speedy and effective remedy,—such as is to be found only in an increased number of Judges and Magistrates, and an improved police.

The history of latteals and dacoits as appearing from these reports,—their roving adventurous lives,—their fights and plundering expeditions, are really quite romantic; and their utter scorn of the very idea of earning their bread honestly, or in any way but by the use of arms and plunder, remind us much of the Highlanders as they existed in Scotland not very many years ago, (though we fear our Scotch cousins will not be much gratified by the comparison.) Bishto Ghose was sentenced to transportation for life for being a dacoit. The Lower Court thus states his case; and the statement is fully borne out by the man's confession, which is unfortunately not set out at length in the case, but which shews him to have been a regular *latteal* for some time before he became a dacoit also :—

"The man's history is indeed a most remarkable one, and if any doubt did ever exist in any quarter, as to the need, and the utility of an extraordinary agency to cope with, and suppress the crime of dacoity, the perusal of the prisoner's adventures would dispel such doubts. It will hardly be believed that any one could commit half a hundred *dacoities*, and still leave so little tangible proof of his own guilt, that, were it not that the prisoner criminales himself, there is no other sufficient proof to convict him. Being apprehended, he very soon volunteered to give a history of his life. Interesting as that history is, it may be told in a few words. From tending cattle he became a bold and practised clubman. Expert in the use of his favorite weapon, and made daring by the frequent use of it, he disdained the humble occupation of a cowherd, and readily listened to the first overtures made to him to exchange it for the eventful, easier, and more lucrative life of a *dacoit*. From being a member, he soon became the head of a gang. He recollects the particulars of forty-seven different acts of *dacoity* by land and water, and there is little doubt, he has forgotten twice that number."—P. 648, Oct.

At p. 523, *May*, we have a trial for murder. The accused was convicted and sentenced to death. He was deaf and dumb, and had been so from infancy: but notwithstanding his infirmity, he was a professional *latteal*, and was eventually hanged for a murder committed by him in the ordinary course of the duties of his calling!

The volume teems with dacoity cases, the details of many of

which are very extraordinary. For example, we have* the trial of eleven men for having belonged to a gang of dacoits. These men gave the particulars of numerous dacoities committed by them, some with one gang, some with another. One prisoner admitted that he was present at fifty-eight of these dacoities, another admitted being present at forty; another was concerned in twenty-one; another was present at forty-five; two, at ten; one, at seven; one, at thirteen; another, at fifteen; another, at thirty-two. They were all convicted, chiefly on their own confessions, and sentenced to be transported for life.

While the announcement made by Mr. Danby Seymour, that torture was practised as a mean for enforcement of the payment of Revenue took some people by surprise, every person who knew much of India was well aware of its being constantly employed by the police in the discharge of their duties. In truth, torture always has been practised here, and will be so, for many a day to come; and it always has been and is now practised, in a greater or less degree, in every police office in the country, with the full knowledge of every Magistrate and Judge in the country. We do not mean to say that any Magistrate or Judge takes part in, or even is aware of any particular case of torture, while it is going on; but they all daily hear complaints of it from the prisoners brought before them, and they know well that there is some foundation for these complaints. To get at legal proof of such an offence having been committed by the police, is not easy. Besides, the difficulty of proving any thing in a country like India is so great, that by persons of experience in the Mofussil, a little pressure on a prisoner is not looked upon as any thing very unfair or improper: for it is known that unless the police succeed in getting information out of the accused themselves, there is but small chance of a conviction.

If proof of this is wanted, let the Reports of the Sudder Nizamut Adawlut be carefully read, *passim*: every where will be found abundant evidence of the existence of torture, and of its existence being known to every body. In the volume for 1855, there are several cases in which the offence was actually proved and the offenders punished.

The Darogah, two Jemadars, and two Burkundazes, attached to a thannah or police station within twenty miles of Calcutta, were tried and found guilty by the Lower Court, which makes the following remarks on the case:—

“ In fixing a punishment adequate for the offence, and for example at the same time, must be taken into consideration the temptations into which newly appointed native police officers are led, from the

* P. 599, Oct.

too successful concealment, with which others before them have perpetrated this offence,—two-fold flagitious: first for the torture itself, and next in the possibility of its eventually resulting in severest punishment of the innocent. Likewise is to be considered the temptations they are exposed to, by their being permitted to carry away, on the merest suspicion, to the thannah, servants of houses, in which robberies have taken place, or other suspected parties. The inference they are liable to draw from such permission is, that they may with impunity resort to improper means to procure confessions, while at the same time their superiors, and the parties robbed, press for discovery.”—P. 106, Jan.

The Darogah was imprisoned for four years, and fined 200 rupees; the others for two years, with a fine of 100 rupees.

In another case, a police Darogah, two Burkundazes and a Peadah were tried for the culpable homicide of a person whom they had in their custody. The prisoners were convicted; the Lower Court stating the object of the mal-treatment to have been to procure restitution of the stolen property, or a confession of the crime. The Court of Appeal took a surprising view of certain parts of the case.

“It is also clearly proved that the deceased was never out of the hands of the police, after having been put on board the boat; and, though a weakly man, the medical evidence shews that he was not suffering from disease, and his death can therefore be accounted for in no other way than as the consequence of the combined mal-treatment he received from them. Lukhun and Nobin were evidently the most active in this outrage, and we see no reason to interfere in their favour, with the sentence passed upon them. It is likewise satisfactorily proved that Nundlol, the Darogah, was in the boat, and cognisant of what passed. *Under ordinary circumstances, a heavy responsibility would fall upon one holding the official position he did, rendering necessary a far severer sentence than that passed by the Sessions Judge: but Nundlol is a mere youth, and certainly not qualified for the situation of a Darogah, and it may be fairly inferred that the authority of such a person was neither felt nor respected by his subordinates.* This may be taken into consideration in the punishment.”—P. 49, Jan.

And accordingly the Darogah got four years' imprisonment without labor, while two of his subordinates were sentenced to the like term of imprisonment with labor in irons!

It is not accused or suspected persons alone that are tortured, or mal-treated by the police. Witnesses are often used in the same way, in order to make them give such evidence as the police may want. Thus we have a case* where eight prisoners were tried for perjury alleged to have been committed by them on a

* P. 400, April.

previous criminal trial. The Lower Court arrived at the following conclusion :—

“ Under these circumstances, I would convict the prisoners of perjury : but with reference to *their offence having originated in ill-treatment and threats of further violence on the part of the police*, I think that one year's imprisonment with labor will be a sufficient punishment. *The prisoners are all either women or old men, selected, I doubt not, in a degree on that account as being the more likely to be acted on by ill usage.*”

The Sudder Court acquitted all the prisoners :—

“ The Sessions' Judge should not have ordered the commitment of the prisoners for the perjury, as he was convinced that they had been subjected to ill-treatment to cause them to depose as they did depose before the magistrate.”

In about 270 of the 637 cases that came before the Sudder Court in 1855, the prisoners, or some of them, had confessed, or made statements criminating themselves before the police, or the committing magistrate. In very many of these cases, the alleged confessions are wholly repudiated on the trial before the Judge : it was either denied that they had ever been made, or it was urged that they had been extorted by ill usage, or obtained under threats or false promises. If a man repudiate his confession, it becomes, as it seems to us, perfectly useless, and his crime should be proved *aliunde*, without making him first establish, that he did not in fact confess, or that he did so in consequence of improper pressure. In nine cases out of ten of torture or improper pressure, the prisoner must, from the very nature of the thing, fail in producing legal proof of it ; for when it is practised, only the prisoner and the police themselves are present, and the prisoner will find no one to speak for him, but himself.

The police have recently, we believe, been prohibited by an order of Government, from receiving confessions. This is a move in the right direction, but it does not go sufficiently far ; for confessions before a magistrate may be received and acted on as formerly, although, as the cases in the volume now before us shew, such confessions are just as little to be trusted as those made before the police, being generally made through their agency.

The police may be ordered not to receive confessions, and may obey that order ; but that will not prevent them from extorting admissions, and from using unfair means to induce prisoners to confess to the magistrate. The mere fact of his being in the presence of, or addressing the magistrate, does not remove the unfortunate prisoner from the influence or fear of the police, and

does not cause him to forget what he has suffered, or may suffer at their hands, should he disobey their directions. Of course confessions, if they are not afterwards denied, and there is no doubt of their being *real* confessions, are properly received and acted upon. What we would urge, (and we think it must soon be made the rule in India) is, that considering the known and avowed practices of the police, all confessions denied or repudiated before final conviction, or as to the manner of obtaining which *any* suspicion exists, should be wholly rejected, before whomsoever they may have been made.

In the volume before us, we find case upon case, in which confessions said to have been made before the police, or before the magistrates, were taken as evidence by the Courts, although those who are said to have made them, afterwards repudiated them, and on their trial defended themselves to the utmost,—even to the sending the case up to the Sudder in appeal. It is to us incredible that people should, without any motive or inducement, make statements endangering their own life or liberty, merely for the sake of repudiating them as soon as made.

The confessions of dacoits are in some degree an exception, for they seem, for the most part, to be real confessions, and are comparatively rarely repudiated. These people know that they occupy a peculiar position. They know that there exists a special set of officers whose business it is to hunt them down; that if caught they will be dealt with differently from other offenders; and that they have multitudes of accomplices, any one of whom has it in his power to convict them. They know also that a pardon, more or less complete, is generally the reward of those who give valuable information. No doubt, it is the knowledge of these things, with possibly the addition of some gentle pressure on the part of their captors, that makes them speak so freely. Whatever be the cause, they certainly seem more ready than any other class of prisoners to confess, and to speak the truth when they do so.

The following extracts show pretty clearly the amount of reliance which, in the opinion of the Sudder Court, ought to be placed on their confessions,—and indeed on the police generally. They shew that the Sudder Judges are on the whole careful in the use made of confessions, though they are not quite so much so as they might be. The rule which the Court lays down, but which is by no means strictly attended to, is that to justify the conviction of a confessing prisoner, his confession must be supported by strong corroborative evidence:—

“The confessions in our opinion are not calculated to remove the impression, that *the police have got up the evidence in this case,*

and with nothing before us to justify reliance on any part of it, even as to the death of the woman, we must acquit all the prisoners."—P. 18, *Jan.*

"As confession itself is no evidence against the prisoner, his guilt is by no means satisfactorily established."—P. 62, *Jan.*

"We cannot upon his confessions alone, unsupported as they are by any circumstantial evidence, concur with the Sessions Judge in convicting the prisoner."—P. 203, *Feb.*

"*The case has evidently been got up by the police.* * * * Upon a perusal of the statement, prisoner No. 9 certified by the joint-magistrate to be a *confession* with witnesses attached to it; we find that it is a denial *in toto*: it contains a plea of *alibi*, and states that he had been intimidated by the police: it admits the prisoner heard (only) of the dacoity. Notwithstanding which, the attesting witnesses speak of it as a *confession*, voluntarily made before the magistrate; and the Sessions Judge has convicted him upon the confession, which, of course, will not stand. * * * The prisoners are acquitted, and must be immediately released. The proceedings of the police officers ought certainly to have drawn the attention of the authorities to the improbabilities they contained; and the whole Mofussil investigation should have been laid before the superintendent of police."—P. 534, *May.*

"The bare confessions of the prisoners, when *there is so much reason to believe that proof has been made up in the Mofussil*, cannot fairly be read against them."—P. 546, *May.*

"There being no proof that any murder was committed, and the confessions being unworthy of belief, we acquit the prisoner."—P. 661, *June.*

"This, *with the irregular manner in which the other confessions were taken*, throws too much doubt on the genuineness of these confessions safely to rely on them. We therefore acquit the prisoners."—P. 675, *June.*

"*The whole case appears so like one that has been got up by the police*, that, &c. * * * lead us to regard the recorded confessions with very great suspicion, and prevent our upholding the conviction."—P. 828 *June.*

"We quite agree with the Deputy Commissioner, that there is good reason to believe the prisoner's confession in the Mofussil, *was not voluntary*; and with such an impression on our minds, we cannot allow the repetition of that confession, when brought before the assistant, to prejudice the prisoner. * * * As far as this prisoner is concerned, the conduct of the Darogah appears very reprehensible."—P. 19, *July.*

"*Mofussil confessions obtained under the delay and illegal detention for five days, to which the prisoners were subjected by the police*, who were unable to give any explanation when called on by the magistrate, are not to be relied on. * * * Confessions thus taken, backed even by a confession before the magistrate on their arrival at the station, but unsupported by other independent circum-

stantial evidence * * are not grounds which justify conviction."—*P. 79, July.*

And yet in nearly all these cases, the Lower Courts had approved of and acted on the confessions.

There are many cases in which the only evidence against the prisoners, in addition to their own confessions, was that of *approvers*. The system of approvers prevails to a considerable extent, especially in dacoity cases. It is found to be very useful in breaking up gangs of scoundrels; it destroys their confidence in each other, and makes those who are apprehended anxious to confess, and give any information they can, lest they should be fore-stalled by their comrades. The principle is a good one, but it requires to be judiciously carried out, for it is only in special cases, that a criminal should be permitted to become an approver. We sympathize with a Sessions Judge whom we find much displeased with his subordinate, because that officer, after a dacoity had been committed, offered not only a free pardon, but "*a reward of 100 rupees to any of the dacoits who would come forward and turn approver.*"* The proceeding was, as the Judge says, novel and unheard of.

In two cases, there is shewn something like a desire not to act fairly towards approvers, or, in plain English, to break faith with them, and not give them the promised pardon.

In the case of dacoity just referred to, one Kallee Mullick, who (we use the Judge's own words) "*was one of the principal parties who committed the dacoity, was included in the list of witnesses, having received a conditional pardon from the magistrate:*" yet the Judge afterwards sentenced this man to seven years' imprisonment with labor in irons.

"The crime of being an accomplice in the dacoity, and having in his possession two rupees, the sale proceeds of a portion of the plundered property, is proved against Kallee Mullick, *by his confessions before the police and the magistrate, and his admissions before the Court.* But although he states that he confessed before the police and the magistrate under a promise of pardon, *I do not consider that such a promise was legal or justified by the circumstances of the case:* and whether it was legal or not, the prisoner forfeited his right to his conditional pardon by concealing, &c." * *

Could any thing be more unfair than this? If the Judge thought fit to set aside the magistrate's promise of pardon, on the first of the grounds stated by him, surely he should also have set aside the confessions obtained on the strength of that

* P. 506, Oct.

promise. The second ground for refusing to recognise the promise of pardon, namely, that the prisoner had not fulfilled the condition on which the pardon was to be granted, may have been a good one. The Sudder Court, however, held that there was no evidence that the approver had not done all that he undertook to do, and ordered him to be released forthwith.

In the other case to which allusion has been made, a dacoit being seized by the police was, before trial or conviction, offered a conditional pardon, if he would turn approver. He accepted the offer, and gave much information against himself and others. Having got out of him all he knew, the Lower Court put him on his trial, and on his own confessions, corroborated by the records of some previous trials, convicted him, and sentenced him to *imprisonment for life in transportation beyond sea*. The Court in a subsequent statement says, that a sentence of only imprisonment for life had been passed, and that that had been passed in the belief that the pardon extended to a dacoity approver, exempted him only from death or transportation, not from imprisonment for life, or any other punishment, (which really was the case with respect to thugs, they being considered irreclaimable, and never under any circumstance being let loose, when once arrested.) The Sudder Court observes on this: *firstly*, that the Lower Court had proposed a sentence of imprisonment for life *in transportation*: *secondly*, that the conditional pardon on account of which the prisoner made his confessions exempted him from the punishment recommended: *thirdly*, that he should have been tried, and, if convicted, sentenced in the usual manner before being pardoned with a view to turning approver, on which he would become virtually free, and be let loose on society. The proceedings against the prisoner were quashed.*

It is well, indeed, that there is an appellate Court to check errors such as these; for it is difficult to conceive any folly, not to use a stronger term, greater than that of not keeping perfect faith with approvers. The fact is, that it is in India exceedingly difficult to convict and punish the really guilty: and officers with the very best intentions, constantly allow their zeal to carry them a great deal further than they ought to go, and than they would go if their cooler judgment did not yield to the excitement and anxiety of the moment. Their zeal is added to by the desire to gain the approbation of their superiors: and in India, the character of a judge or magistrate has always been tested by the number of his convictions,—by the quantity, not the quality, of the work done. The consequence of this is,

* P. 339, Aug.

that while in England no man is considered guilty till he is convicted, the reverse is the rule here. On what other principle, can judges be found writing thus?—

“It remains to say, before proceeding to sentence, why these trials have been closed, *before all the witnesses for the defence have been heard*. Those of the prisoners whose witnesses have not been heard, are Gogun and Baboroolah. The defence of Gogun is that the case is false. *Now any number of witnesses who might depose to this effect, would not shake my belief* that the witnesses for the prosecution have given trustworthy evidence in a matter which occurred before their eyes: so that, giving Gogun the utmost benefit which the evidence of his witnesses would be to him, they would not be sufficient to exculpate him:—and if so, there is no use in delaying a case already *postponed too long*.”—P. 283, Feb.

We know of nothing equal to this, but the speech of the foreman of a Scotch jury, who, being asked after the trial was over, how he could possibly have given a verdict of guilty, said, —“from the way the clerk of the Court read out the indictment ‘to us, we knew the prisoner *maun* be guilty, so we took care to ‘let nothing shake us!’”

Again :—

“The existence of such an order as that issued by the Magistrate, and the abuse it was subject to in the hands of a corrupt and unscrupulous police, *had very nearly induced me to acquit all the prisoners: but as it is so difficult to procure convictions in dacoity cases*, I did not think myself altogether justified in doing so.”

“And therefore,” he might have continued, “though not ‘very sure about their guilt, I have actually taken upon myself ‘to sentence four or five persons to imprisonment for seven ‘years with labor in irons.’”*

In treating of these matters, however, and in considering the state of the administration of criminal justice in Bengal, we must not lose sight of the extraordinary difficulties with which Courts and magistrates alike have to contend. It is almost impossible to get any good reliable evidence; and the search after truth is in general little more than a groping in the dark. In every case, civil as well as criminal, there is perjury, as a matter of course, on both sides, and commonly forgery also; for however honest and good a case he may have, no native ever trusts to that alone,—he *must* have a got up one. The greater part of the evidence produced on both sides, usually has to be disbelieved. Englishmen, too, in India, keeping entirely aloof from the natives, and never having any really familiar intercourse with

* P. 512, Oct.

them, are in no degree behind the scenes, and consequently never have an opportunity of seeing any thing more than those immediately about them choose to shew. This is so especially with those who are judges or magistrates; their position is very different from that of those who have had to work their own way on something like a footing of equality with natives, and is such as effectually to prevent their knowing much of what is really going on underneath the surface which is presented to them. That they should be often misled, and at fault, is not to be wondered at.

The following extract shews us something of life (though not perhaps of every-day life) in the mofussil, and how a magistrate is occasionally called upon to execute his own process. Several fruitless attempts had been made to arrest Mohun Meah. He was the individual known as Magog, and the brother of Gugun, who has been mentioned before, and after the conviction of the latter "had turned Gugun's house into a miniature Sebas-topol, and there with a band of *latteals*, armed with spears and shields, set the law and police at defiance." On the 16th of November, 1854, the magistrate entrusted to a darogah a warrant for the apprehension of Mohun. The darogah was directed to go on ahead with his men, sixteen or eighteen in number, and to attempt to serve the process. The Magistrate, two Messrs. Morrell, (gentlemen, resident in the neighbourhood, who had been requested to assist), some chuprassies, and five burkundazes followed the darogah at some distance:—

"The magistrate and the Messrs. Morrell were armed with guns: each gentleman had a spare gun: one of the Messrs. Morrell had a third gun. The party walked some two miles, when they reached a *khal*: up to this time no resistance had been offered: crossing the *khal*, they advanced up an avenue leading to the house in which were the Meah and his followers. This avenue is described to be from 400 to 500 yards long, and the road as from twelve to thirteen feet broad, lined on both sides by cocoanut trees, and with a deep ditch running on each side. The party proceeded some little distance, when they observed a party of some 100 to 150 men armed with spears, and their bodies protected and almost wholly concealed by shields, advancing in a stooping position, and in ranks four abreast. The magistrate and the police called out to their party to retreat; it was also clearly explained to them, that the magistrate had come in person to apprehend Mohun Meah. This had no effect; the attacking party still advanced. The magistrate then directed his party to retreat, keeping a bold face towards the attacking party. The magistrate's party retreated a few paces,—the attacking party advanced. The magistrate and the Messrs. Morrell fired their double barrelled guns, which were loaded with shot, at the spearmen immediately before them. Several men rolled over to the ground;

they were for the most part hit about the legs, for they managed to get up again and limp off. This first volley did not stop the advance of the attacking party, though it may have for a moment arrested it. The magistrate and the Messrs. Morrell were then in self-defence compelled to make use of their spare guns, which were loaded with ball. The three gentlemen fired almost simultaneously, and several men of the attacking party were killed. * * * Three, perhaps four, men must have lost their lives. After this second discharge, the whole body of spearmen retreated to the house of Mohun Meah. The magistrate, anxious to avoid further bloodshed, and doubtless feeling that the force at his disposal was quite inadequate to the capture of Mohun Meah and his followers, retreated with his party and gained their boats. The magistrate returned to the station and forwarded an application for troops, which application was not complied with. On the 22nd of December, Mohun Meah made his appearance in the Court of the Sessions Judge, and delivered himself up. The remaining prisoners were apprehended and sent in by the police."—*P. 692, Oct.*

Mohun was sentenced to sixteen years' imprisonment with labor in irons in banishment.

To the lovers of the purely horrible, we commend this volume with entire confidence. It contains an account of a series of murders, assaults, and robberies, each one more atrocious in its details than the other: and it is on the whole quite in a position in this respect to compete with the Newgate Calendar. We need not now to resort to this, or to any other book, to learn that when once they are fully excited and roused, there is no possible limit to the savageness or barbarity of the wanton cruelties of which natives are capable, or the tortures which they will inflict on their fellow creatures, if they think they have them fully in their power.

Such is the volume of cases decided in 1855, extending over 1850 closely printed pages. It is well printed, and on good paper. But on the whole, the reports, *as reports*, are badly got up:—they have neither index nor marginal notes worthy of the name, for what there are, either are incorrect, or contain little or no information: and the text itself sets forth in full the statements of the Lower Courts with all their faults, instead of recording only the facts which are strictly material. In their present shape, they are much more useful as forming a check upon the Courts, and giving some insight into the condition of the country generally, than as books of criminal law. Perhaps, however, for the present, they are best as they are.

DEC 12 1935

